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September 3d A. D., 1889. First Day.

Journal of the Constitutional Convention,

Territory of New Mexico,

Hall of the Constitutional Convention,

First Day —

Santa Fé, N. M. Sept 3d, 1889.

Cll the hour of 12 o'clock, meridian, on this Tuesday the 3rd day of September, 1889, the day and hour appointed by law; the members elect of the Constitutional Convention of New Mexico, assembled in the Hall of the House of Representatives of New Mexico at Santa Fé New Mexico.

For the purpose of Temporary Organization called the Convention to order and invited Col. M. Thomas the Secretary of the Territory, and announced that the Secretary would call the list of legally elected delegates to the Constitutional Convention, as prepared from the official returns filed in his office from the various Counties; that he would have the members of the Convention present their Credentials, prove the rolls, and be sworn in so that they could legally proceed to the transaction of the business of the Convention.

(S. M. Thomas, the Secretary of the Territory of New Mexico then said: The Constitutional Convention of the Territory of New Mexico having been duly called to order, I will now proceed according to law to call the list of legally

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elected delegates to the Constitutional Convention as appears of record in the office of the Secretary, and I request the delegates as their names are called to come forward, present their credentials, sign the rolls, and be sworn in.

The following members of the Convention as the Secretary called the roll by Counties responded to their names, came forward, presented their credentials and signed the rolls.

County of Socorro.-- M. S. Otero, E. V. Storey, Pedro Perea, B. S. Rodey, Marcos C de Baca, N. C. Hazledine, Cefecto Armijo, Rudolph Haberland, L. J. Trimble, Alejandro Sandoval.

County of Grant.-- John D. Bail, Warren Bristol.

County of Lincoln.-- I. N. Newman, P. P. Ferrill.

County of Mora.-- Trinidad Romero, Severino Trujillo, Mateo Lujan.

County of Rio Arriba.-- Pedro M. Jaramillo, E. A. Caldwell, N. F. Burris, N. D. Lee, J. M. C. Clancy.

County of Dona Ana. N. A. Arrenson, A. J. Fountain, Martin Amran

County of San Juan. David C. Cabato.

County of Colfax. Hestor Martinez, Cristoval Sanchez.

County of San Miguel.- Pascual Baca, G. W. Pritchard M. C. de Baca, Jefferson Raymonds, J. G. Clancy, Leandro Sanchez, Romulo Ulivarri.

County of Santa Fe. - Ciriaco Ortiz, T. D. Catron, F. N. Clancy, Nicolas Pino, Jose D. Sena, C. C. Van Der Veer.

County of Sierra. -- Nicholas Galles, Richard Mansfield Whites.

County of Socorro. Wm. E. Keen, Demetrio Perez, J. C. Whitmore. W. G. Nichols.

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County of Valencia. — J. Francisco Ohaves, Juan José Hernandez, E. A. Hart, Patricio Arce, Silvestre Mirabal, Heriberto Baca.

The following delegates elected delegates upon being called failed to respond to their names.

Calfax County.- E. M. Fox, A. C. Vorhees.
Grant County. H. W. Hart.
Lincoln County. O. P. Eddy.
Mora County. C. M. Wildenstein.
Rio Arriba. José M. Esquibel.
San Juan. L. H. E. Pacheco.
San Miguel. Edward Kenny, E. T. Habart, Wm H. Stapp, Frank Springer, D. C. Winters.
Socorro. José Baca, Jacinto Sanchez.
Taos. Manuel Ohacon, Francisco Suran.
Juan Martin, Antonio Martinez, Antonio Roibal & Juan Trujillo.

The Secretary then, to all who had responded to their names, presented their credentials and signed the roll, administered the following oath:

You and each of you do solemnly swear that you will support the Constitution of the United States, and faithfully and impartially discharge the duties upon which you are to enter as delegates of this Convention. So help you God.

After swearing in all the members present the Secretary of the Territory paid, that none of the legally elected delegates had not presented their credentials, but that the Convention could proceed legally to business as it was not absolutely necessary to present the credentials if the Convention did not require it.

Upon roll call of

September 3rd A. D. 1850. Tuesday

[illegible] Convention met pursuant to adjournment.

Present all the members.

Prayer by Rev. Mr Fountain.

Messrs Fountain and Otero having been appointed as a Committee by the Chair, waited on Judge S. S. Ireland, the temporary presiding officer to the presidents chair, and Mr Fountain in a few pertinent remarks introduced him to the Convention.

Judge Ireland the temporary president spoke as follows:

Gentlemen of the Convention it is with profound gratitude that I return thanks for this manifestation of your respect for me, and I trust no act of mine while presiding over your body, or during its labors, can be construed into anything but a love for the independence of our state. I know that a great deal has been said in opposition to New Mexico taking her place in the sisterhood of states; this is no occasion to discuss those views at length, but I may permitted to say that the people situated as the people of New Mexico have been for the last 40 years, living and acting under a government. Democratic or Republican; that officers sent from all parts of the globe to rule us & govern over us in the midst of the wants of roving savages that inhabited this country; who were able to drive those savages back and build up civilization, and made it possible for us tender feet, if you please to occupy this country. Above it the Pair

for the people who have done that, they are incompetent for self government? Shame upon such an idea. Further than that is related along with the great struggle for the property of this government the people arose to aid the officers of the U. S. to drive Gibson and this band of soldiers out of New Mexico, and I believe they did not come back any more. Now there is many things that could be said upon an occasion like this, but as time is important, I may permitted to say this in conclusion.

From the faces I see before me and from their Expression, I believe that they are animated by one principal, that New Mexico shall occupy a place in this union as the equal of the most favored States in this land and that I believe that every man is sincerely desirous to make a Constitution free from party bias but characteristic from beginning to end, that the principles of civil and religious liberty shall provide that every man in this land will feel that he has equal rights, and no man has exclusive privileges over him.

We have a great battle before us, the making of this Constitution to secure to us admission in this Union, and much depends upon the kind of Constitution we make, and the efforts we put forth by the friends of civil liberty in this Country, one that shall be operative and the Constitution of this land.

I feel that the people who have such a State as I alude to, that principle will continue to grow and spread in their hearts until it finds a resting

September 3rd 1859. Session Day.

Peace and the Church of Rome and the Inauguration of Free Trade and not union hail with acclamation on the part of Conventions has been made and that our duty is heaven first and then to the Church for our own separate for each government.

These are the views of the resolutions of the Convention that were we accept for the short time I will be called upon to preside over this Convention, and I trust I will have the aid and co-operation of every friend of this Constitution. Remember that order is heaven first and then to the Church for peace.

The Secretary announced that the next business in order was the election of a temporary Secretary.

Mr Pena moved that Manuel C. de Jesus of San Miguel County be elected temporary Secretary. Which was carried.

Mr Pena moved that Amado C. de Baca of Bernalillo County be elected temporary interpreter, which was carried.

Mr Ryerson moved to proceed to elect the permanent officers of the Convention, which was carried.

Mr Pena moved to adopt the rules of the last (5th) legislature, so far as applicable, to govern the proceedings of this Convention, which was adopted.

Mr Manuel C. de Baca nominated for Chaves of Valencia County for President. Mr Leandro Perea nominated Mr G.D. Pritchard of San Miguel County for the same position.

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Mr. White moved that the vote be taken by ballot, which was carried.

On motion the Chair appointed Jefferson Raynolds, Pedro Perea and Manuel C. de Baca Tellers.

Mr Bond called the roll, the members of the Convention presented their ballots to the Tellers which being counted resulted

For J. Francis Chaves. 29 votes.
For G. W. Pritchard 22 votes.
For Frank Springer 1 Vote.
For W. C. Ragle dine 1 Vote.

Mr Pitch moved that the election of Mr J. Francis Chaves as permanent President of this Convention be made unanimous, which was carried.

The Chair appointed Messrs Pritchard, White and Stover, a Committee to escort Mr. J. Francis Chaves to the president's Chair

The Committee performed its duty and Mr. Pritchard introduced the new president to the Convention with a few appropriate remarks, and the Committee retired.

Col. Chaves addressed the Convention as follows;

Gentlemen of the Constitutional Convention of the Territory of New Mexico.

I have to thank you most profoundly for the method by which you have demonstrated the confidence you still repose in me). I have to thank our temporary Chairman for the very eloquent manner in which he accepted the temporary Chairmanship of this Convention.

I have to thank our competitor Hon. G. W. Pritchard for the manner in which he has permitted me to have competed with him for the high honor of presiding

September 3d. A. D., 1859. Tenth Day.

over this Connecticut. Gentlemen, this is
liable to be one of the greatest epoch in
the old Territory of N. M. which will bring
the Territory of N. M. into the sisterhood of
the U. S. of the Country.

Up to date, we have been surrounded
by hostile bands of Indians. We have had
no method of communication until recently,
The railroads and telegraphs which for
a quarter of a Century have been common
in the U. S. and in fact, over a great
portion of Europe, have as least in as
far as the railroads only been within
our territory for the last nine years,
and we see today the progress that has
come from the arrival from that method
of communication, Indians have apparently
disappeared from our midst. The miner
has got the facility of getting into the
fastness of the mountains, thereby extracting
from its bowels the gold and silver which
serves as communication for trade;

He is not compelled at present to call
to other men to stand guard over him-
while he is prospecting. The farm may
be paid of the ranchman, the Cattleman,
the sheepman, they are not compelled at
this time to pursue their peaceful voca-
tions and to carry with them arms
to protect their labor of years, and from
this we begin to see the gradual devel-
opment of the interests of the Territory.

And I believe we can also say with
truth that legislation is more intelligent,
that Education is more diffused and more
intelligent, and that the people are more
law abiding and orderly than they were here-

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tofore. The question has come, is it time to throw aside the swaddling clothes of the Territorys and do on the very manikood of a man by assuming to ourselves the right of governing ourselves as a state.

A large portion of the people of New Mexico, more than two thirds of the last legislature have thought it was time that we phased do this, and not withstanding that Congress did not invest us with the Enabling Act so that we might have come in with Montana, the two Dakotas, Washington and Wyoming, still we might by demonstrating the fact that we do believe that we were able to support a state government, and capable of carrying on an orderly and good state government, that thereby the last legislature pasted an act calling this convention together in order to refute the facts that were made in Congress itself by gentlemen who might have known better, that the people of New Mexico did not desire to come in as a state government in the sisterhood of states. Now gentlemen we are here, I see before me as much intelligence as upon any I see in any public body of the land. remember wherever we may go, that class of bodies united in the U. S. I see before me depicted in the countenances of every member the desire, of Enacting a Constitution of States broad-ley, in its truest Conservative, one that will do honor to every one of these members who have had a hand in it.

On presenting this

Constitution, which I have no doubt were the one of the very best, to the Congress of the U. S. and the whole people of the U. S. I have no doubt, that the men which were the, that the people of New Mexico have rejected successfully the changes that were were incapable of self government.

Well paid by our Temporary Chairman that we were alone in that the people who can drive away all those hostile, indians, and who can ever have a certain amount of civilization which we have had and be as measurely successful as we have been, and that of itself is proof that we are capable of self government, but these matters which we know, when we send the proper Constitution away from here so every reading man date of the U. S. can read it; when the Congress of the U. S. shall have it before it, then it shall be satisfactorily settled that New Mexico is beyond doubt capable of self government, and I believe as I stand here that the Congress of the U. S. will pay to the Secretary of New Mexico that it can come into the Sisterhood of States to help make this union even greater than it has been.

Gentlemen of the Convention I thank you again for the honor upon me conferred upon me.

Mr. Gallegos moved to proceed with the election of permanent officers.

Mr Armijo said that as it seemed to be the general desire, he took pleasure in nominating Col. J. M. Sandy for the

position of permanent Secretary of the Convention.

Mr Pena moved that the nomination of other officers be postponed until tomorrow.

Mr Kenerson said as it seemed to be generally agreed to as to whom should be Secretary, he hoped to proceed as to that office.

The Chair explained the question before the house, Mr Valles moved to proceed to vote for permanent Secretary.

Mr, Perea moved, to proceed to elect all of the minor officers.

Mr Kenerson arose to a point of order, that the Convention voted to elect permanent officers, and no other business was in order but the election of the officers.

The Chair ruled the point well taken.

Mr Manuel C. de Baca moved to take a recess until 4.30 p.m.

Mr Wm C. Hazeldine, presented the following resolutions.

Resolved that the President of this Convention, be authorized to appoint the following standing Committees; —

1st	On Preamble and Bill of Rights ---	7 members
2nd	On Legislative Department	9 "
3 "	On Executive Department	7 "
4 "	On Judicial Department	9 "
5 "	On Elective Franchise	7 "
6 "	On Education, Taxation & Congressional requirements	10 "
7 "	On Public Institution and Building	7 "
8 "	On County and Precinct Organization	7 "
9 "	On Apportionment one member from each County represented in this Convention,	11 members
10th	On Public and Private Corporations.	9 "

September 3d A. D. 1910. First Day.

Mr C. Dehaven moved reconsideration of postponed numbers 12 & 13 Mr Simms, adjournment moved & carried.

It is further resolved, that the following Committees shall constitute elements in the Constitutional Convention of New Mexico, during the entire session thereof, provided that actual standing or special Committees may hereafter provided for either by the rules or by resolution of the Convention.

Mr Berg moved to refer the resolutions to a Committee of one from each County, which motion was carried.

Mr Hodgen and Mr Pritchard also presented lists of Committees which they had prepared which were referred to the same Committee.

Mr Catron presented the following resolution, Resolved that a Committee of five members be appointed by the Chair as a Committee on rules, to draft and publish to this Convention as early a day as possible such rules, and order of business as may be required for the government of this Convention and the conduct of its business.

On motion of Mr Pritchard the resolution was adopted.

Mr B. F. Hodgen, of the Bernalillo delegation offered the following resolution, and moved its adoption by a rising vote:

The Constitutional Convention of New Mexico, now duly assembled and organized, does hereby declare on behalf of the people of said State, that they hereby, adopt, acknowledge, and ratify the Constitutions of the United States as the Supreme law of the land and of this state.

Mr Fountain moved that the motion be referred to a Committee of one from each County.

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Mr. Clancy moved that it lie on the table to come up at the proper time, which was carried.

The President appointed the following persons as the Committee to which the resolutions of Hagerdine and others related to permanent Committees, to wit:

Socorro -	S. Perez.
Bernalillo	Hagerdine
Colfax	Nestor Martinez
Dona Ana	Martin Johnson
Grant	John D. Bail
Lincoln	J. M. Herman
Mora	J. Romero
Rio Arriba	J. M. O. Chaves
San Juan	S. E. Labato
San Miguel	M. C. de Baca
Santa Fe	T. B. Clancy
Sierra	N. Gallegos
Valencia	C. A. Sowers

Committee on Rules.

T. B. Catron
A. J. Fountain
W. G. Ritch
G. W. Pritchard
J. P. Rodey.

On motion the Convention took a recess until 2 P. M.

At 2 P. M. the president called the Convention to order.

Demetrio Perez, Chairman of the Committee of one from each County on Committees, presented the following report.

Santa Fe N. M. Sept 3d. 1889.

To the President of the Constitutional Convention

Sir:

The special Committee

September 3d A. D., 1889, First Day.

Some of the Committees proposed in each of the lists submitted, are for subjects which this Committee believes might better be left to the action of the State Legislature, and others are fully covered by the amendment, hereby recommended.

The Committee further recommends that all standing Committees be appointed by the President, as the most practical and expeditious method of dealing with the subject.

Respectfully submitted.
L. Perez.
Chairman.

On motion of Mr Manuel C. de Baca the report was adopted.

Mr Manuel C. de Baca presented the following resolution.

Be it resolved by the Constitutional Convention of the Territory of New Mexico, in session assembled.

That the following persons are hereby elected to serve as permanent officers, of said Convention, to wit:-

Sra. M. Ford, for Chief Clerk; Mariano F. Pena for assistant Chief Clerk; Amado C. de Baca for Interpreter, Fabian Gallegos for Janitor, and Filemon Sanchez for Messenger, Amado Ulibarri for Sergeant at Arms, F. M. Pino for Stenographers.

That the Chaplain shall be appointed by the President of the Convention.

Mr Clancy moved to lay the resolution on the table indefinitely. Ayes 3 Nays not counted.

Mr Leandro Sanchez moved that a Committee of one from each County select the

officers for the Convention.

Mr Knowles rose to a point of order that the Convention had voted to proceed in the election of permanent officers and that nothing was in order but that without unanimous consent.

The Chair decided the point of order well taken.

Mr Newman stated that he took great pleasure in nominating Col. S. M. Bond for Secretary of this Convention; knew him since a boy, have played with him, fought with him on the side of the Union; in fact knew him well and take pleasure in nominating him for Secretary.

Mr Pena moved the previous question, which was carried.

Mr Clancy moved that the vote be by ballot.

Mr Pena moved that the vote for all the officers be by ballot.

Mr Clancy accepted the amendment, and the motion as amended was carried.

Mr Cristobal Sanchez nominated S. M. Read.

On motion of Mr Kynerson the Chair appointed as tellers Messrs Kynerson and Sandro Sanchez.

S. M. Bond called the roll of names, of the members handed their ballots to the tellers, which being counted resulted as follows:

For S. M. Bond 40

For S. M. Read 9-

The Chair declared Mr. Bond duly elected Secretary of the Convention.

Mr Bond said: Mr President and gentlemen of the Convention, I sincerely thank, appreciate for the flattering vote that

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your chair just opened me. I wish each one of your valuable time by any Extended remarks, but will only say, I will try to perform my duty as Secretary of this Convention to the best of my ability, and to the entire satisfaction of the members of the Convention.

Mr E. A. Law nominated Mr. Mariano F. Pena for Assistant Secretary.

Mr Cristobal Sanchez nominated Mr B. M. Read for Assistant Clerk.

Mr Catron nominated Mr Charles L. Thayer for Assistant Secretary.

On motion the Chair appointed as tellers, Messrs Leandro Sanchez and E. A. Law.

The Secretary of the Convention called the list of members who, as their names were called, deposited their votes with the tellers, which being counted resulted as follows:

For M. F. Pena 33 votes.
" B. M. Read 12 "
" C. L. Thayer 7 "

The President declared M. F. Pena duly elected Assistant Clerk).

On motion of Mr Rynerson the Convention adjourned till 10 a. m. to-morrow.

J. Francis, Chavez,
President

L. M. Read
Secretary.

September 14th A. D. 1859. Friday

Met according to adjournment.

Present as on Thursday, the President and the Commissioners, except the Commissioner of Agriculture, absent.

Journal of Thursday read and approved.

The Journal of yesterday was read, in English and French, and after some slight corrections was approved.

The Secretary of State came, duly qualified, presented his credentials, took the oath, signed the roll, and took his seat in the Convention.

Mr Fountain offered the following resolution.

Resolved: That the President be requested to appoint a Committee of three members to wait upon and inform the Legislature that a sufficient number of the Members of this Convention have taken their seats to constitute a quorum for the transaction of business.

Mr White offered the following amendment.

And such other articles or things as are necessary for the Convention.

Mr Fountain accepted the amendment, and the resolution as amended was adopted.

Mr Patterson moved that the Convention do now proceed to the election of the remaining officers of the Convention, which was carried.

Mr Perry nominated Mr. Aniceto O. de Baca of Bernalillo County for interpreter.

Mr Pancho of Doña Ana County nominated B. M. Read of Santa Fe County.

September 4th A. D., 1899. Second Day.

Mr. J. G. Chacon of San Miguel County nominated Nestor Montoya of Santa Fe County.

The Chair appointed as tellers Messrs. Reed and Cristobal. Quiebig.

The Secretary called the roll, the vote being counted resulted as follows;

For	Mr. Read	23 votes
For	Mr. Baca	20 "
For	Mr. Montoya	10 "

A majority of all the votes cast being necessary to elect, and none of the above candidates having received a majority of all the votes cast, the president ordered another ballot to be taken.

Tellers the same. The Secretary called the roll; the vote being counted resulted as follows:

For	Mr. Read	30 votes
For	Mr. Baca	22 "
For	Mr. Montoya	1 "

The president announced that J. M. Read having received a majority of all the votes cast was duly elected Interpreter of the Convention, and the assumed the duties of the position. J. D. Sena having acted during the day.

Mr. Sisneros nominated Martin Vigil for Janitor.

Mr. Manuel C. de Baca nominated Fabian Gonzales.

Mr. Chavetia nominated J. M. Montoya.

The Chair named as tellers Messrs Sisneros and Manuel C. de Baca.

The Secretary called the roll; the vote being counted resulted as follows:

For	Mr. Vigil	27 votes
For	Mr. Gonzales	20 "

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For Mr Montoya
The president announced that Mr Virgil having received a majority of all the votes cast was duly elected janitor.
Mr Hazeldine nominated G. A. Manning for messenger.
Mr Ulibarri nominated Francisco Sanchez.
The Chair named as tellers Messrs Ulibarri and Hazeldine.
The Secretary called the roll; the vote being counted resulted as follows:

For Mr Manning	34 votes
For Mr Sanchez	18.

The president announced that G. A. Manning having received the majority of all the votes cast was duly elected messenger.
Mr Ferrell nominated G. G. Gano for Sergeant-at-Arms.
Mr Fountain seconded the nomination of Mr Gano.
Mr Leandro Sanchez nominated Jose D. Ortiz.
Mr Ulibarri nominated Fabian Gonzales.
Mr Cristobal Sanchez nominated Nicolas Quintana
The Chair appointed as tellers Messrs Leandro Sanchez and Ramon Ulibarri.
The Secretary called the roll; the vote being counted resulted as follows:

For Mr Gano	37 votes
" Mr Ortiz	17 "
" Mr Quintana	5 "
" Mr Gallegos	2 "

The president announced that G. G. Gano, having received a majority of all the votes cast was duly elected Sergeant-at-Arms.
Mr Pritchard nominated Fred Perrin for Stenographer.

September 11th A. D., 1856, Second Day.

The Chair nominated Mr. E. Gortner.

Mr. Rodeg. and others seconded the nomination of Mr Simms.

Mr Clancy withdrew the name of Mr Gortner.

Mr Pierce objected to the name of Mr Gortner being withdrawn.

The Chair put the question to the Convention which by a small majority voted permitted the name of Mr Gortner to be withdrawn.

Mr Pritchard moved that the Secretary cast the vote of the Convention for Mr Simms, as there was no other candidated.

Mr Pierce objected to anybody casting any vote for him but himself.

Mr. Hazeldine, moved that Mr. Pierce cast the vote of the Convention for Mr. Simms. The motion was carried.

Mr Pierce cast the vote of the Convention for Mr. Simms.

The president announced that Fred Simms had received the entire vote — of the Convention was duly declared elected.

Mr. Spencer introduced the following resolution:

Resolved: That this Convention will not elect any regular Chaplain, but will leave thereof, the president be, and he is hereby authorized to appoint the Resident Clergy of the City of Austin & for each any other Clergymen who may be present from other parts of the Territory, on occasions so far as possible, to conduct the appropriate religious

services.

Mr Pena nominated Rev. A Jamieson as Chaplain.

Messrs Dana and Fountain seconded the nomination.

Mr Rich nominated the resident clergy of Santa Fe, for Chaplaincy.

Mr. Perea raised the point of order that the resolution was contrary to the law, therefore out of order.

The Chair decided the point well taken.

Mr Raynolds nominated Rev. G. G. Smith of Santa Fe.

The Chair appointed Messrs Raynolds and Pena as tellers.

The Secretary called the roll; the voting resulted as follows:

For Mr Jamieson	30 votes
For Mr Smith	20 "
Blank	1 "

The President announced that Rev. A Jamieson, having received a majority of all the votes each was duly elected Chaplain.

All of the officers, with the exception of the Chaplain, now appeared before the President, who administered to them the oath of office.

On motion of Mr Raynolds the Convention adjourned 'till 3 p. m. today.

Afternoon Session.

Pursuant to adjournment at 3 p.m. the president called the Convention to order.

The Secretary called the roll. A quorum was present.

In accordance with the resolution

duced this morning by Mr Fountain, and which was adopted, the president now appoints as the Committee on ways and means, the following members of the Convention.

Messrs A. J. Fountain, N. J. Otero, Frank Springer R. M. White and P. W. Kenan.

Mr Wooldridge introduced the following resolution:

Resolved: That the various standing Committees appointed by the president, be and they are hereby authorized and instructed, to prepare and compile articles or sections for insertion in the Constitution, subject to the action of the Convention, relating to matters properly cognizable by or referable to such Committees, and to report the same to the Convention at the earliest possible date.

Upon motion of Mr Rynerson the resolution was adopted.

Mr Pritchard rose to a question of privilege and stated that Mr W. H. Shupp a regularly elected member of this Convention from the County of San Miguel, was now present in the Hall.

Mr W. H. Shupp, having presented his credentials, and signed the roll, the oath of office was administered to him by the president, and he took his seat in the Convention.

Mr Fountain, Chairman of the Committee on ways and means reported that the Committee would probably have all necessary stationery and some other purposes for the Convention by tomorrow.

Mr Stover introduced the following resolution;

Resolved: That all resolutions or motions

relative to the formation of a Constitution, or the subject matter to be contained therein, shall be referred to an appropriate Committee without debate.

On motion of Mr. Hamlet C. de Baca the resolution was referred to the Committee on Rules.

On motion of Mr. Dike, the Convention adjourned till 10 A.M. tomorrow.

J. Franco Chaves
President.

I. M. Bond
Secretary.

Thursday, Sept. 8th 1859.

At 10 a.m. the president called the Convention to order.

Rev. Antonio Jaramillo was proposed and by the president as Chaplain.

Prayer by the Chaplain.

The president announced that as there was a quorum present, the calling of the roll would be dispensed with, unless there was some objection.

There being no objections the calling of the roll was dispensed with.

The Journal of yesterday was being read by the secretary.-

Mr Jaramillo moved that the reading of the journal be dispensed with.

Mr Pancho of Colfax insisted upon the reading of the Journal.

Which was done.

The Journal of yesterday upon motion of Mr Jaramillo was approved.

September 5th A. D., 1859, Third Day.

The president announced the list of standing Committees.

Mr. Catron, from the Committee on Rules, made a report of the rules to govern the Convention, which was read in English and Spanish.

Mr Catron moved that wherever the words Chief Clerk appeared in the rules, that the word Secretary be substituted, which was carried.

Mr Catron moved that in section 38, line 2 after the word "enter", and before the word "all", insert the words "in the order of their presentation," which was carried.

Mr Rodey moved that section 3, line 6, after the word "once" and before the word "unless", insert the following words; "not more than five minutes, unless by leave of the Convention". which was carried.

Mr. Rodey moved to strike out on page five, line one, after the word "Convention" the words. "A motion to strike out or insert, shall not be debatable", which was carried.

Mr Knaebel offered the following amendment, on page 3, rule 10, first line after the word "three" and before the word "to", insert the following; "Not more than 10 minutes to the same question except on the final passage of the Constitution", which was carried.

Mr Clancy offered the following amendment on page 3, rule 10, after the last word of the rule, insert the following; "Each member shall have the right to speak or transfer his time to any other member

which was carried.

Mr. Kennard moved the rules be adopted as amended, which was carried.

Mr. Rich moved that 500 copies of the rules and list of Committees, one half in English and one half in Spanish be printed.

Mr Galles moved to amend by having one hundred in each language printed.

Mr Rich accepted the amendment.

Mr Pena moved to amend by having 150 copies printed, 75 in English and so in Spanish.

Mr Galles and Mr Pena withdrew their amendments.

Then the motion of Mr Rich to have 500 copies printed, one half in English and one half in Spanish was carried.

Mr Perea offered the following resolution:

Resolved: That this Convention do now proceed to fix and establish the salaries to be paid to the several Employees of this Convention, as follows;

The Secretary, Assistant Secretary, Interpreter, Stenographer; at four dollars per day each.

The Sergeant at Arms, Messenger, Chaplain, Janitor, three dollars per day each.

Mr Fountain moved to refer the resolution to the Committee on ways and means, which was carried.

Mr Perea, requested that the Committee report at the earliest convenient day.

Mr Rimerson moved that the Convention proceed to elect a second assistant Secretary, Interpreter and an extra messenger.

September 5th A. D., 1889, Third Day.

Mr Catron moved that the resolutions be referred to the Committee on ways and means, which was carried.

Mr Rodey presented a Constitution to the Convention, which under the rules adopted the president stated that he would refer to the appropriate Committee.

Mr Reich presented a Constitutional provision for minority representation in the Legislature, which was referred to the Committee on Legislative Apportionment.

Mr C. W. Fox, a member of the Convention from the County of Colfax, appeared, presented his credentials, signed the roll, took the oath of office, and took his seat in the Convention.

On motion of Mr Perea the Convention adjourned till 2 p.m. tomorrow.

J. Franco. Ochoa,
President.

I. M. Ward,
Secretary.

Friday, Sept 6th 1889.

At 2 p.m. pursuant to adjournment the president called the Convention to order.

Prayer by the Chaplain.

The president announced that as there was a quorum present, the calling of the roll was dispensed with.

The Journal of yesterday was read, and approved, upon motion of Mr Perea.

The President announced that the order of business.

Petitions and memorials. None.

September 6th A. D. 1859. Tuesday Day.

Reconsidered, recommitted, Petitions, etc. Reports of Standing Committees.

Reports of Standing Committees.

Mr. Lewis, from the Committee on Elective Franchise, made the following report:

To the President of the Convention:

The Committee on Elective Franchise, reports to the Convention, that it has carefully Examined the Constitutions submitted to the Convention, as well as a number of others, and has drawn upon those we, in the course of its labors. On a recount of our investigation, the Committee prepared Ordinances in English and Spanish, on that subject, the adoption of which as a part of the proposed Constitution is recommended.

Very respectfully,

C. C. Lewis

Chairman, Committee on Elective Franchise.

On Motion moved the report be received and take its regular order.

Mr. Perea moved that the rules be suspended and the Article on Elective Franchise be read.

Mr. Pena moved that the Article on Elective Franchise be read. Carried. Which was done.

Mr. Hitch presents to the Convention, a Constitutional and Municipal, the Committee on Corporations, provision relating to trusts which was referred to

Mr. Gauntt from the Special Committee on Mines and Mining reports the following report:

Mr. President;

Your Committee on Mines and Mining, to whom was referred resolutions

September 6th A. C., 1859. Fourth Day.

No. 1 fixing the per diems of Employees of this Convention, having had the same under consideration, respectfully report as substitute therefore, and recommend its adoption.

Your Committee respectfully represent, that the salaries recommended to be paid to the Employees of the Convention, by the substitute, are substantially the same that were paid by the last Legislature Assembly to its Employees performing the same duties, that in fixing the Compensation of the Secretary, and his assistant, your Committee have taken into consideration, the fact that these officers are required to perform the work that was distributed and amongst Eight Clerks during the last Session of the Legislature.

Respectfully,
A. J. Fountain,
Chairman.

Which was read with the following substitute.

A substitute for Resolution No. 1.

Resolved: That the Employees of this Convention be paid the following amounts as full Compensation for their services respectively, viz:

Secretary, Eight dollars per day.
Assistant Secretary Six dollars per day.
Interpreter Eight dollars per day.
Stenographer Seven dollars per day.
Sergeant-at-Arms, Five dollars per day.
Janitor. Three dollars per day.
Chaplain. Three dollars per day.
Messenger. Three dollars per day.

September 6th A. D., 1859. Fourth Day.

On motion of Mr Dunn, the reports of the Committee on ways and means were received, and directed to come up in their regular order.

Mr Fountain, from the Committee on ways and means, presented the following report;

Mr President;-

Your Committee on ways and means, having had under consideration the subject of additional employes for this Convention, respectfully report:-

We are of the opinion that the services of a translator are necessary for the proper transaction of the business of this Convention, but as no provision has been made in the law under which this Convention is held for such an officer, or for his compensation, your Committee recommend that the president be authorized to procure the services of a Competent translator with the understanding that he must trust to the action of the next legislature for compensation for his services.

With this exception your Committee are of the opinion that any increase of the number of the Employees of this Convention at this time would be inexpedient.

Respectfully,

A. J. Fountain,

Chairman.

On motion of Manuel C. de Baca the report was adopted.

Mr Fountain Chairman of the Committee on ways and means, makes the following report;

Mr President;

The Committee appoint

and for the purpose of inquiring into the best method of meeting the small incidental expenses of this Convention, report that there is no provision made for such purpose in the bill calling the Convention, the Auditor respectfully and positively refusing to draw a warrant for such purpose, as he would be violating the law they law by so doing.

Therefore the Committee recommend that each member of this Convention, contribute such amount as they are inclined to, two dollars from each member being considered sufficient, towards defraying the small expenses; and that, should any amount remain unexpended at the end of the session, that paid a - mount be donated to the public school fund of the Territory.

Respectfully,
Richard Mansfield White,
Chairman Pub. Committee.

Mr Marcos C. de Baca moved that the report be adopted.

Mr J. M. C. Chavez moved that each member pay for his own stationery.

Mr Rynerson moved that the last report made by the Committee on ways and means be referred to the delegation of Santa Fé in the Convention.

Mr Marcos C. de Baca withdrew his motion.

Mr Rynerson's motion was adopted.

Mr Neal, Chairman of the Committee on Congressional Requirements and Taxations, made a report with an accompanying article, on the Constitution, which was read.

Mr Rodey a member of the same Committee made a minority report, which was read.

September 6th A. D., 1859. Fourth Day.

Mr Nowell asked and was granted leave of absence 'till next Monday.

The president announced that Mr Reynolds had requested a leave of absence which was granted.

Mr Pritchard moved that both the majority and minority reports be received.

Mr Fountain moved that the reports be considered as read the first time and be placed on the Calender, to come up in their regular order.

Mr Stover raised the point of order that when a report was presented and read that it was not necessary to make a motion to receive it.

The president decided that the motion was in order.

Reports of Special Committees. None.

Articles on Second reading.

Mr Caldwell asked and was granted leave of absence 'till next Monday.

Mr Pritchard presents the following resolution.

Resolved;

That the president of this Convention be and hereby is authorized to appoint a standing Committee to consist of five members on "Mining and Waters Rights" to which shall be referred all matters appertaining to these subjects.

On motion of Mr Pritchard the resolution was adopted.

Mr Stover moved that the Convention do resolve itself into a Committee of the whole, to consider Articles now before the Convention.

Mr Wood, Chairman of the Committee

September 6th A. D., 1859, Fourth Day.

on Congressional Requirements and Taxation, moved that the majority and minority reports of the Committee be referred back to the Committee. There being no objections it was so ordered.

Mr Fountain moved to suspend the rules to take up the Article on the elective franchise to be read a second time, which was carried. The Article was read a second time.

The president read four telegrams from Gov. Prince and the United States Senate Irrigation Committee from El paso, saying that they would be here tomorrow to meet the members of the Convention and citizens, and would like to have the use of the Convention Hall.

On motion of Mr Neal the Article was considered as read in Spanish the second time.

Mr Hemans moved that when the Convention adjourned, it adjourn to 2 o'clock P.M. Tomorrow.

Mr Pritchard moved that when the Convention adjourn it be to 9.30 A.M. Tomorrow, carried.

Mr Clancy asked that the interpreter be excused for a few days, Mr Pena, a member of the Convention, acting during his absence.

Motion carried.

On motion of Mr Marcus C. de Baca the Convention adjourned till 9.30 A.M. Tomorrow.

J. Francis Chavez,
President.

A. M. Pandt,
Secretary.

September 7th A. D., 1859. Fifth Day.

Saturday, Sept. 7th 1859.

At 9.30 a.m. pursuant to adjournment, President Chavez called the Convention to order.

Prayer by the Chaplain.

The President announced that as there was a quorum present, the reading of the Journal would be dispensed with, unless there was objection.

There be no objection the reading of the Journal was dispensed with.

Upon motion of Mr Manuel C. de Baca the reading of the Journal was dispensed with.

Upon motion of Mr Manzanares the Journal of yesterday was approved.

Order of business called.

Presentation of petitions, memorials, remonstrances, letters and other documents was order.

Mr Rodey presented a document giving the reasons why New Mexico applies for admission into the Union of States, which was referred to the Committee on Privileges and Elections of Rights.

The President announced the following as the permanent Committee on Mining and Water rights: G.W. Pritchard, Richard Mansfield Price, Dr. C. Stevenson, John S. Bail and Dixon M. Miller.

Reports of Special Committees. None.

Reports of Standing Committees. None.

Bills on the second reading. None.

The President then suspended upon the question of obtaining a competent translator, that he had a conversation with Clarence Gray, and that gentleman stated he would give a final answer at an early day.

Articles on the third reading. None.

Motions and orders in order. None.

September 5th A. U., 1859. Fifth Day.

Unfinished business. None.
Special orders of the day. None.
General orders of the day. None.
Memorials on the Convention's table. None.
Memorials on the president's table. None.

Mr. Stevenson, Mr. Saunders and Mr. C. Sanchez asked and were granted leave of absence for several days of next week.

Mr. Chancellor offered the following amendment to the rules:

That the rules be amended as follows:

In that portion of rule --- providing for the appointment of a Committee on Revision and Adjustment: strike out after the words, "consisting of" the words "five members", and insert "of the members already appointed and the Chairman of each standing Committee not now a member of said Committee, with power to each Chairman to nominate some other member of his Committee to serve in his stead, so that the amended portion of said rule shall read as follows:

(7) Committee on Revision and Adjustment. Consisting of the members already appointed, and the Chairman of each standing Committee not now a member of said Committee, with power to each Chairman to nominate some other member of his Committee to serve in his stead.

Which, upon motion of Mr. Chatard, was adopted.

Mr. Clayton moved that the President do now proceed to perform the duty of receiving and reporting the Credentials of State Delegate Committees on Credentials, to the Chair of the Convention, and that the Convention then do recess till said

On order of the president, Convention
The Convention was recessed.

After a few moments recess, the president of the Convention appearing at the main door of the hall, Mr. Fountain, a member of the Convention called the Convention to order.

President Chavez assumed the Chair and introduced Wm. M. Stewart and Hon. Reagan the Senate Irrigation Committee, and the president then stated that the Convention would take a recess, that and the members might take the Convention in recess.

President Chavez called the Convention to order.

The president read the following telegrams of Congratulations to the Convention.

Cheyenne, Wy. T. Sept 7th 1889.

President Constitutional
Convention
Santa Fe, N. M.

Wyoming Constitutional Convention sends greeting and expresses the hope that Wyoming and New Mexico at an early day, will be admitted into the Union of States as they might they ought to be.

Maverick Brown,
President.

On motion of Mr Fountain, the president was instructed to return the Congratulations of this Convention to the Wyoming Convention.

The president then announced the following:

September 7th A. D., 1889, Fifth Day.

Santa Fé, N. M. Sept 7th 1889.

Melville C. Brown,
President Constitutional Convention,
Cheyenne, Wy.
Sir

The Constitutional Con-
vention of New Mexico, extends the hand of
fellowship to Wyoming with deepest grat-
itude for their Kindly greeting, and is
pangmine that the race upon which Wyo-
ming and New Mexico have entered, will be
successful, and that these two additional
stars will be more the less brilliant in
the American Constellation, than those which
shine in the Union firmament.

J. Franco. Chavez,
President of Convention.

Mr Dow asked and was granted leave of
absence for several days.

On motion of Mr Ryerson the Con-
vention adjourned till 2 p. m. Monday next.

J. Franco Chavez.
President

L. M. Ford,
Secretary.

Monday Sept 9th 1889.

11 a. m. pursuant to adjournment President
Chavez called the Convention to order.

Prayer by Chaplain.

The president announced that as there was
a quorum present, the calling of the roll
would be dispensed with, unless there
was some objection.

There being no objection, the calling of
the roll was dispensed with.

The journal of Saturday was read.
Upon motion of Mr. Romero Sanchez the journal

of Saturday was approved.

The president, pursuant to an order of the Convention, names as the additional members of the Committee on revision and adjustment, Messrs W. C. Hazeldine, B. F. Hardy, M. D. Otero, J. A. Whitmore, T. W. Cleary, W. G. Kelley, T. S. Patron, W. V. Kyneman, and Trinidad Romero.

Order of business called.

Presentation of petitions, memorials, resolutions, remonstrances, letters and other documents. None.

Reports of standing Committees,

Mr M. D. Otero, Chairman of the Committee on Executive Department, made the following report, accompanying the Executive Article; -

Mr President;

The Committee on Executive Department to whom was referred all matters referring to the Executive Department to be incorporated in the Constitution, respectfully report, that they have had under consideration all matters referred to them, and formulated such matters into proper articles, which in their judgement, contains all that may be necessary to include in the Constitution in the subject, which proposed article is herewith submitted as a part of this report.

Mariano S. Otero Chairman.
Nicholas Flores
Ferreira Trujillo
David G. Tabato
P. H. Van der Veer.

The report and article were received and read. The article was read the first time.

On motion of Mr. Otero the article was read a second time by title.

September 9th A. D., 1859, Sixth Day.

On motion of Mr. Posey, the Executive Article was ordered translated and printed.

Mr Nixon asked and was granted leave to present an article on the Constitution, which was referred to the Committee on Franchise.

Reports of Special Committees: None.

Articles on second or third reading: None.

Mr Terrill offered a written motion for the appointment of another Committee, which under the rules, lays on the table for one day.

Unfinished business of the previous day.

Upon motion of Mr. Pena the Convention was resolved into Committee of the whole, to again resume the consideration of the Article on Franchise.

Mr E. D. Hoover was called to the Chair.

President Chairey resumed the Chair; and called the Convention to order.

Chairman Hoover, reported that the Convention had been considering in Committee of the whole, the Article on Franchise, and had, after adapting a number of amendments to the Article, finished consideration of the same, and recommended its adoption.

Mr Trimble moved that the Secretary engross the Article on Franchise as amended, to be read at some future time.

Mr Catron moved to amend on page four, first line of the printed article on Franchise, in the first line, to strike out the sixth word "officers" and insert "persons". Adopted.

Upon motion of Mr Manuel C. de Baca, the report of the Chairman of the Committee of the whole, was received, and the report with the amendments adopted.

September 9th A. D., 1859, Sixth Day.

Mr. Rodey offered an amendment to Section one, to permit persons to vote, which was read for information.

Mr. Pritchard, rose to a point of order, and stated, that the article was not now before the Convention.

The President ruled the point of order well taken.

Mr Rodey moved to suspend the rules to take up the Article on "franchise", to permit him to offer his amendment.

Upon the vote being put the chair decided the nays had it.

Mr Rodey demanded a division.

Those in favor of the suspension of the rules to permit the amendment to be offered rose, and the chair counted six. Nays not counted.

The rules therefore were not suspended.

Mr Pritchard offered an amendment to be Section 7, to wit: For the purpose of voting no person shall be deemed to have lost a residence by reason of his absence while employed in the service of the United States, or of the State, nor while a student of any institution of learning, nor while kept at any alms-house or other asylums, nor while confined in any public prison.

Mr Marcos C. de Baca moved to lay the amendment on the table.

The Chair decided the nays had it.

Mr Baca demanded a division.

The Chair counted ayes 13, Nays not counted.

The motion was therefore lost.

Mr Rodey moved to amend the amendment by striking out the word "pensioners" and inserting "institutions of learning", which was agreed.

September 9th A. D., 1859, Sixth Day.

Mr Kelley moved to amend the amendment by striking out the first three words.

Mr F. W. Clancy offered as a substitute for all that had been offered for Section 7, the following:

"No person shall be deemed to have gained or lost residence by reason of presence or absence, while employed in the service of the United States, or of the State, nor while a student of any school, nor while kept or confined in any public institution or prison at public expense."

Mr Pritchard raised a point of order that the substitute of Mr F. W. Clancy, was an amendment to an amendment, therefore not in order.

The chair decided the point not well taken.

Mr Manuel C. de Baca demanded the previous question.

The main question was ordered. Ayes 23, nays 6.

The substitute offered by Mr F. W. Clancy was carried and adopted as Section 7.

Mr Rich offered an amendment, to insert after the word "duel", the words "or prize fight".

A division was demanded which resulted, Ayes 19, nays 18.

The amendment was therefore carried.

Mr Terrell offers the following amendment:

Sec. 6. amend by striking out, all the words before "shall" in the second line, and inserting instead, the words, "Every person who shall hereafter give or accept, a challenge to fight a duel, or, who shall, knowingly carry to any person such challenge, or go out of the State to fight a duel or prize fight.

(On motion of Mr. Crews the Convention adjourned until 3 P.M. tomorrow.)

September 10th A. D., 1889. Tuesday Day.

Tuesday, Sep't 10th 1889.

At 2 O.M. pursuant to adjournment, President Chavez called the Convention to order.

Prayer by the Chaplain.

The President announced that as there was a quorum present, the calling of the roll would be dispensed with, unless there was some objection.

There being none the calling of the roll was dispensed with.

The Journal of yesterday was being read, When upon motion of Mr Pritchard the further reading of the journal was dispensed with.

Upon motion of Mr Pritchard the journal of yesterday was approved.

Mr Marcos C. de Baca, stated that having voted with the majority on yesterday on the amendment to insert after the word "duel" in section six, in the Article on Electric franchise "or prize fight", and that he now moved to reconsider the vote by which the amendment passed.

Mr Fiske rose to a point of order, that the day on which the vote on the amendment was taken having passed, the member could not now move to reconsider the amendment.

The Chair ruled the point of order of Mr Fiske was not well taken.

Mr Marcos C. de Baca moved that the words "or prize fight" be laid upon the table indefinitely. A division being called, resulted as ayes 21, nays 11.

The motion was carried.

Order of the day was called.

(Presentations of petitions, memorials, resolutions, remonstrances, letters and other documents,

Mr Chapin presented two Articles on the Constitution, which was referred to the Committee,

September 10th A. D., 1889. Seventh Day.

on preamble and bill of rights.

Mr Manuel C. de Baca, presented an Article on the Constitutions, which was referred to the Committee on Judiciary.

Reports of Standing Committees.

Mr Springer, Chairman of the Committee on Legislative department, presented the following:

Santa Fe, N. M. Sept 9th 1889

To the Honorable,
J. Francis Chaves,
President of the Constitutional Convention.

Sir;

Your Committee on the Legislative Department, to whom was referred such portions of the several Constitutions introduced as relate to the subject, respectfully report that they have carefully examined the same, and as a result of their deliberations present the accompanying Article — for the consideration of the Convention. As one of the proposed Constitutions provides for a Lieutenant Governor, and the other does not, and that question is not within the province of this Committee, we have prepared two sections in the alternative to meet either plan, which may be adopted.

In order to facilitate the work of the Convention in acting upon it, your Committees have had their report printed at their own expense, and herewith present one hundred copies of the same.

Very respectfully,
Frank Springer
Chairman.

Some changes having been made in the printed report they intend moving in committee, may a portion of the printed copies are ready

September 10th A. D., 1889, Seventh Day.

amble, and bill of rights submitted the following report accompanying a preamble and articles on bill of rights and distribution of powers.

Santa Fe, N. M. Sept 10th 1889.

Mr President,

Your Committee to which was referred the Preamble, Bill of Rights &c, respectfully submits that it has taken into Consideration all matters submitted to it by the Convention germain to the preamble, bill of rights and as the result of its investigation, reports to the Convention the accompanying Preamble, Bill of Rights and Distribution of Powers, all of which is respectfully submitted for the Consideration of the Convention.

The Committee has been unable to report the matters properly contained in the Schedule and other miscellaneous matters for the reason that it cannot do so until other Committees have reported matters referred to them, so as to ascertain what matters may be left to be included as Schedule and Miscellaneous matters.

J. D. Catron,
Chairman of the Committee.

The Committee has caused the same to be printed in English and Spanish and will distribute them.

Report was read and upon motion of Mr Catron, the report was received, and the preamble, Articles on bill of rights and distribution of powers was ordered on the Calendar to come up in its regular order.

Mr Pera chairman of the Committee on Congressional requirements and taxation, read a verbal report, accompanying an ordinance on Congressional requirements and taxation.

Upon motion of Mr Pera the report of the Committee was received and the ordinance on Congressional requirements and taxation was ordered to the Calender to come up in its regular order.

Reports of Special Committees, None.

Articles on 2nd reading. None.

Arties on 3rd reading.

The Article on elective franchise was on its third reading, and the question being on the amendment of Mr Tennent to the sixth section, the president declared the amendment out of order.

Mr Tennent withdrew his amendment.

Mr Marcus C. de Baca moved that the Article on Elective franchise be read the third time, and it was so ordered.

Mr Pritchard asked and was granted unanimous consent to strike out the last three words in section seven, "at primaries opened".

The article on Elective franchise was read the third time.

Mr Pritchard moved that the Article on Elective franchise as just read do pass, and demanded the ayes and nays.

The ayes and nays being demanded by more than five members, were so ordered.

Mr Rodey proceeded to make a few remarks.

Mr Pritchard rose to a point of order that Mr Rodey was out of order, the point not pertaining to the point of order as now

taken.

The question recurring upon the ayes and nays upon the passage of the article on Electing Franchise.

Mr. Manuel C. de Baca moved the previous question; and the same being called up more than ten members, it was so ordered.

The roll was called resulting as follows:

Ayes --- Messrs Arbuthia, Manuel C. de Baca, Marcos C. de Baca, Pasqual Baca, Bernalillo, Bristol, Burns, Caldwell, Catron, J.M.C. Chaves, F.W. Clancy, J.G. Clancy, Hazeldine Hennan, Jaramillo, Kelley, Labato, Lohman, Luna, Lujan, Martinez, Miranda, Otero, Perea, Perez, Pino, Pritchard, Raymaldo, Rich, Romero, Rynerson, Leandro Sanchez, Alejandro Sandoval, Desiderio Sandoval, Sena, Shupp, Springer, Stover, Tenne, Trujillo, Wilbarn, Whitmore and Mr President.

Nays -- Messrs Bail, Bodey, Trimble, and White.

(Absent with leave, Messrs Armijo, Dow, Gallegos, Fountain, Fox, Haverland, Lee, Cristobal Sanchez.

(Absent without leave. Vanderveer.

Mr. White said he voted no, not wishing to cut off debate.

The article on Electric franchise was therefore declared passed by the president.

Mr. Manuel C. de Baca, moved to reconsider the vote by which the article on Electric franchise passed and moved to lay that motion on the table. Carried.

Mr. Pritchard moved that the Communication be referred into Committee of the whole to take into consideration the memorial and three of rights.

Whereupon Mr. Catron moved that the Communication be considered in the Committee of the whole to take into consideration the

September 10th A. D., 1859. Seventh Day.

preamble and [illegible] of rights. "carried".

The Convention of the whole.

The president noticed the Convention to order, and the Chairman reported that the Convention had under Consideration the preamble and bill of rights, but had not finished its labors, and asked to have the rights sit again.

The report of the Chairman of the Committee of the whole was received.

The article on the bill of rights was read the second time, upon motion of Mr Manuel C. de Baca.

Upon motion of Mr Trimble the Convention was considered as in Committee of the whole, with the president in the chair, to rep the article on the bill of rights, and to Consider the pauperpection hep pection; in Committee of the whole.

The president called the Convention to order, and the Chairman reported that the Committee had under Consideration the article on the bill of rights, but had not finished its labors and asked leave to sit again.

Upon motion of Mr Mareon C. de Baca the report of the Committee on the whole was adopted.

Mr Pritchard presented the following resolution; Resolved; That the Secretary of this Convention be, and he is hereby directed to furnish the Committee on revision, adjustment and arrangement, an Engrossed copy together with the original thereof, of each and every article of the proposed Constitution at the time of the passage thereof, or as soon thereafter as practicable.

Upon motion of Manuel C. de Baca the resolution was adopted.

Upon motion of Mr Catron, Mr Grisbal was excused from attending the session

of the Convention, owing to his feeble health, whereever he did not feel like attending without asking to be excused.

Mr Rozelle moved that the president direct the janitor of the Capitol building to have the Convention hall lighted tomorrow nights for a nights session. Motion lost.

Mr Ritch moved to adjourn to 2 P. M. tomorrow, Motion lost.

Upon motion of J. G. Chavez the Convention adjourned to 10 a. m. tomorrow.

J. Francisco Chavez
President

I. M. Bond,
Secretary.

Wednesday, Sept 11th 1889.

At 10 a.m. pursuant to adjournment President Chavez called the Convention to order.

The Chaplain was absent.

The president announced that as there was a quorum present, the calling of the roll would be dispensed with, unless there was some objection.

There being no objection the calling of the roll was dispensed with.

The journal of yesterday was being read.

Upon motion of Mr Richard the reading of the journal was dispensed with.

Mr Romero moved to take up the business where it was left off yesterday.

Mr Perea stated that he had noted with the majority to dispense with the reading of the journal; the roll moved to reconsidered the vote. Carried.

A division being called for, resulted, Ayes 23, Nays 7. Motion carried.

Mr Perea moved the journal be read.

September 11th A. D., 1849, Eighth Day.

ayes 23, nays 19. Carried.

The journal was read.

Upon motion of Mr Ulibarri the journal was approved.

The president announced that the Articles on the Constitution, presented by Mr Aberdeen and referred to the Committee on Congressional requirements and taxation, that being the wrong committee, the Articles must be referred to the Committee on bill of rights, schedule, etc.

Order of business resumed where left off yesterday.

Articles on 2nd Reading.

Mr Emerson moved this motion that the Convention be considered as in the Committee of the whole to again take up the Articles on the bill of rights.

Mr Gere moved to amend by adding that no person shall speak more than five minutes nor more than once, till others wishing to speak had spoken.

Mr Emerson, accepted and this motion was carried.

The president called the Convention to order.

The president as Chairman, announced that the Committee of the whole had undergone consideration the Articles reported by the Committee on bill of rights, schedule etc, and now asks the passage by the Convention of Articles 1, 2, 3 and the preamble with such amendments as had been adopted.

The motion was carried.

The president stated that on account on the Committee on Education was crippled by the absence of some of its members, and that the Committee was crowded with work; and therefore do insist

September 11th A. D., 1850, Eighth Day.

the Committee towards making an early report and finishing its labors, he would appoint Mr. Frank Springer on the Committee in place of Mr. Cristobal Sanchez - absent.

On motion of Mr Pena the Convention adjourned to 2 P.M. today.

Afternoon Session.

At 2 P.M. the President called the Convention to order.

Mr. Bail arose to a question of privilege and announced that his colleague, Mr A. J. Wark, a legally elected delegate from the County of Grant, presented his credentials, was sworn in, signed the roll and took his seat as a member of the Convention.

Mr Trimble announced that pursuant to the notice given by him in the session of the Committee of the whole, that he would in the Convention move to amend Article two, section nine, in the first line, after the word death, to strike out the words "except in case of fraud."

Upon a vote on the amendment offered by Mr. Trimble the President announced that it appeared the amendment was lost.

A division being demanded, a count of the vote was made resulting Ayes, 12 Nays 25, so the President declared the amendment lost.

Mr Augerson offered an amendment to Section 12, to add after the last word in the section, the following words; "But such persons shall pay an equivalent for such exemptions".

Mr. Pena, moved the amendment be adopted.

September 11th A. D., 1859. Eighth Day.

A division being called on the vote resulted Ayes 26, Nays 18.

The amendment was therefore adapted.

Mr Perea, moved that the Articles on the bill of rights, schedule, miscellaneous, etc, as amended in Committee of the whole and in the Convention, be now read the third time in full.

Mr Kinnerson moved that the several amendments presented in the Committee of the whole and not adopted, be now referred to the Committee on bill of rights, schedules, miscellaneous, etc, with instructions to the Committee to report as soon as possible.

The motion was adopted.

Mr Kelley moved that the Articles lie on the table till the several amendments referred to the Committee on bill of rights, schedules, miscellaneous, etc, be reported on.

Mr Perea rose to a point of order, that articles on their 3rd reading was in order and he demanded the third reading of the Articles.

The president decided the point of order not well taken.

Mr Kelley, withdrew his amendment.

The question recurring upon the motion of Mr Perea to read the articles as amended, it was so ordered.

The articles on bill of rights, schedules, miscellaneous, etc, was read as amended.

On motion of Mr Hamar the preamble, and bill of rights was adopted as a part of the Constitution.

Mr. Otero moved that the Convention do consider the Committee of the whole, to consider the Engrossing Articles.

Mr. F. W. Clancy asked and was granted unani-

September "A. Lincoln" Day.

[illegible] Report from the Executive [illegible]

Santa Fé, N. M., Sept 4th 1869.

To the

Pres't of the Constitutional Convention

Sir;

The Committee on the Executive [illegible] to which was referred a proposed Constitutional provision requiring that all voters who become entitled to vote for the first time after four years from the date of the adoption of the Constitution, must be able to read and write the English language, reports that, after a careful consideration of the subject, it recommends that no such provision be inserted in the Constitution. For the reason that it is a matter which can more properly be left to the action of the State Legislature, under the authority conferred by the first section of the article which has been already adopted.

Wherever a majority of the people of the State are in favor of any Educational or other test as qualification for voting, they will reach a legislature which will enforce the desired restriction.

The question is one which should be left to the people of the State, acting through their representatives in the Legislature. If they want it, they can easily get it. If they do not wish it, we ought not to try to force it on them in this way.

J. M. Cleaver
Marcos C. de Baca
Jesus Chaves
Richard Mansfield Smith.

The report was read and received.

Article ordered to take request order.

Mr Bristol asked and was granted leave to make the following report accompanying the article on judiciary.

Santa Fe N. M. Sept. 11th 889.

To the president and members of the Constitutional Convention.

Gentlemen;

Your Committee on judicial department have had the subject matter under consideration and beg leave to submit the following;

Warren Bristol, Chairman.
S. D. Trimble.
A. Whitmore.
D. D. Terrell.
Jose D. Sena.

Which was read.

The article on judiciary was placed on the calendar to come up in its regular order.

Mr Otero stated that as the printed copies of the Executive article had not yet been received and distributed, that he would withdraw his motion that the Convention be considered as in the Committee of the whole upon the Executive article until the printed copies were received.

Upon motion of Mr Springer that the rules be suspended, and there being no objections, the Convention proceeded as in Committee of the whole to consider the Articles on Legislative department.

By unanimous consent, a printed English copy of the Article on Legislative department being on the desks of each member, the reading of the article in English was dispensed with

September 11th A. D., 1854, Eighth Day.

and the article read the first time in Spanish.

By unanimous consent the article was read the second time by titles.

There being no objection Mr Manuel O. de Zaca was excused for several days.

Convention in Committee of the whole with the president in the chair.

The president again called the Convention to order.

The president, as Chairman of the Committee of the whole, reported that the Committee of the whole had under consideration the articles on the Legislative department, had made some progress, but had not finished its labors and asked leave, to sit again.

On motion of Mr Springer the report of the Committee of the whole was adopted.

Mr Emerson moved to adjourn to 9 a.m. tomorrow.

Mr Terrell moved to adjourn to 10 a.m. tomorrow.

The vote on the latter motion resulted, Ayes 17 Nays 22.

The motion of Mr Terrell was lost.

Mr Marcos O. de Baca moved that the Convention proceed to further consider the article on Legislative department.

Motion lost.

Mr Deal moved that the Convention adjourn to 9 a.m. tomorrow.

Upon a vote, the result was as follows;

Ayes 22, Nays 14.

Thereupon the Convention adjourned to 9 a.m. tomorrow.

J. M. Bond Secretary.

Vincent Ilfrey President

September 12th A. C., 1889. Ninth Day.

Santa Fé, Sept 12th 1889.

At 9.30 a.m. pursuant to adjournment, President Chaves called the Convention to order.

Prayer by the Chaplain.

The president announced that as there was a quorum present, the calling of the roll would be dispensed with, unless there was some objection.

There being no objection the calling of the roll would be dispensed with.

The journal of yesterday was read in English.

On motion of Mr Fiquera the reading of the journal in Spanish was dispensed with.

On motion of Mr Caldwell the journal of yesterday was approved.

The order of business was called.

Mr Chaves moved that the president be directed to instruct the janitor to turn on the gas for a night session tonight.

Upon a division being called the vote requested ayes 30, Nays 5.

The motion was therefore carried.

Mr Otero moved that the rules be suspended and that the Convention be considered as in the Committee of the whole, the president remaining in the Chair, to consider the article on Legislative Department.

The motion prevailed.

Convention in Committee of the whole, President in the Chair.

The president again called the Convention to order.

The Chairman of the Committee of the whole reported that the Committee of the whole, had under consideration the Article on the Legislative Department, and had concluded its la-

thereof and submitted the Articles of Regulating Department with certain amendments.

Mr Perea moved that the report of the Committee of the whole, with the amendments reported, be adopted. Carried.

Mr Perea moved that the rules be suspended to permit him to make a report from the Committee on Congressional requirements and taxation.

Motion not adopted.

Mr Ryerson moved that the Convention do adjourn till 2 P.M. today.

Mr Perea moved that the Convention adjourn till 5 p.m. today.

The motion of Mr Perea was adopted.

Mr Perea moved that the rules be suspended to permit him to make a report from the Committee on Congressional requirements and taxation.

The motion of Mr Perea was adopted.

Mr Perea presented a report from the Committee on Congressional requirements and taxation, which was received and placed upon the calendar to come up in its regular order.

Mr Perea presented the following:

Mr President:

I hereby resign as member of the Committee on Congressional requirements and taxation.

Yours respectfully,

Pedro Perea.

On motion of Mr Ryerson, the resignation of Mr. Perea as Chairman of the Committee on Congressional requirements and taxation was accepted.

Upon motion of Mr Otero, the President

September 12th A. D., 1859. Ninth Day.

was requested to fill the vacancy at as early a time as convenient.

The president announced that he would take the matter under consideration and would make the appointment at the earliest convenient hour.

Mr Runnion now moved that the Convention adjourn to 2 p.m. today.

Mr Catron moved that the Convention adjourn to 2.30 p.m.

The Convention adjourned to 2.30 p.m. today.

Afternoon Session.

The president called the Convention to order. There being a quorum present and no objection, the calling of the roll was dispensed with.

Mr Springer moved that the Article on legislative department be read the third time.

The motion was carried.

The article was being read.

Mr Pritchard moved to amend Section 18, line 2, by striking out the words "Elected to each house and insert the words "present" in lieu thereof.

Mr Perea rose to a point of order, that no amendment was now in order.

The chair ruled the point of order not well taken.

Mr Rumsey asked unanimous consent to go back to section nine.

Mr Perea objects.

Mr Pritchard withdrew his amendment.

Mr Runnion renewed the same amendment; to amend section 18, line 2, by striking out the words "Elected to Each house" and insert

September 12th A. D., 1859, Ninth Day.

ing the word "present" in lieu thereof.

Mr Clancy rose to a point of order, that Mr. Rymerson was out of order by reviving the amendment just withdrawn by Mr Pritchard.

The Chair ruled the point of order as well taken.

The president called Mr Patron to the chair.

In a short time the president again resumed the Chair.

Mr Stover having the floor, and speaking to the question under consideration, which was the pending amendment.

Mr Rymerson called Mr. Stover to order as not being in order.

The president ruled the point of order as not well taken.

The president called Mr Pritchard to the Chair.

In a short time the president again resumed the Chair.

The question recurring upon the amendment offered by Mr Rymerson, a division was demanded which resulted Ayes, 11, Nays 16.

The amendment was not adopted.

Mr. Rymerson moved to strike out the words "locating or" in the last line on page 8.

The Amendment was not adopted.

Mr Howard moved that the legislating Articles be now adopted, as read. The motion carried.

Mr. Springer moved that the vote by which the legislative Articles passed, be reconsidered, and that the motion be laid on the table indefinitely.

The motion was adopted.

Mr. Pritch asked and was granted leave and presented the following report;

September 12th A. C., 1859. Ninth Day.

Mr President;

The committee on Education having had under consideration the subject of public education, including the several constitutional provisions relative thereto, present the following article and recommend its adoption as a part of the Constitution of the State.

Respectfully submitted,
W. G. Fitch Chairman.
J. Reynolds,
Ernesto Cheyatia.

which was read.

On motion of Mr Fitch the report was received and the Article on Education placed on the Calendar to come up in its regular order.

The president appointed Mr Gen. D. Sloan Chairman of the Committee on Congressional requirements and taxation.

The president announced that he would again begin the call of the order of business.

Petitions, memorials, resolutions, remonstrances, letters or other documents, None.
Reports of standing Committees. None.
Reports of Special Committees. None.
Articles on second reading.

Upon motion of Mr Perry the Convention took up the articles on Congressional requirements and taxation.

On motion of Mr. Perry the report was read the first time.

On motion of Mr. Perry the report was read a second time by title.

On motion of Mr. Perry the article was ordered printed at the earliest possible time.

The printed copies of the Article on Executive

September 12th A. D., 1899, Ninth Day.

Department, having been received and distributed, Mr. Otero now moved, that the Convention do resolve into the Committee of the whole, with the president in the Chair, to take into Consideration section by section the Article on Executive department.

The motion was adopted.

The Convention in Committee of the whole.

The president again called the Convention to order.

The president as Chairman reported that the Committee of the whole had, under Consideration the Article on the Executive department, and reported progress, and also reported that the Committee had not finished its labors and asked leave to sit again.

On motion of Mr. Otero the report of the Committee of the whole was adopted.

Mr Landeo Pacheg moved that the Convention adjourn till 9 o'clock A.M. tomorrow.

Mr Reed moved that the Convention adjourn till 9.30 o'clock AM. tomorrow.

A division being called upon the motion of Mr Reed, resulted as follows;

Ayes 23, Nays 15.

The Convention therefore adjourned till 9.30 o'clock AM. tomorrow.

J. Francisco Chavez
President

S. M. Ford
Secretary.

September 13th A. C., 1889. Ninth Day.

Friday, Sept 13th 1889.

At 9.30 a.m. pursuant to adjournment, president Chaney called the Convention to order.

Prayer by the Chaplain.

There being a quorum present, and there being no objection, the calling of the roll was dispensed with.

The journal of yesterday was read and on motion of Mr Otero it was approved.

Mr Otero moved that the Convention be now resolved into the Committee of the whole with the president in the Chair, to consider section by section the Article on the Executive Department.

On motion of Mr Stover the article on Corporations was read the first time and also the second time.

On motion of Mr Rynerson the article on Corporations was ordered printed.

Mr Abeytia arose to a question of privilege, that as none of the Articles that had been reported had been printed in English, he moved that the Articles be also printed in Spanish.

The president stated that all articles that had been printed in English, he pay therefore had been arranged for in each case, by the English speaking members of the respective Committees, and as there is no money made provided for the printing of the Articles, the Spanish speaking members can have any articles printed in Spanish if they pay for it as the English speaking members have done).

Mr Christobal Pinchey presented the following:

September 13th A. D., 1859, Tenth Day.

Mr President;

For personal reasons known to myself I hereinto tenders my resignation as member of the Committee on Education.

Respectfully,

Onisoro Pancheg.

Mr Marcos C. de Baca seconded the motion of Mr Otero, and the motion was carried.

Convention in Committee of the whole, the president in the chair.

The president again called the Convention to order.

The president, as Chairman of the Committee of the whole, reported that the Committee of the whole had under consideration the article on Executive department, and had concluded its labors, and now submitted the article on Executive department with certain amendments.

Mr Marcos C de Baca moved that the report of the Committee on the Executive department, with the amendments be adopted. Motion adopted.

Mr Pena moved the Executive article be now read the third time in full.

The article was being read-

Mr Rodey moved the rules be suspended to permit him to offer an amendment.

The motion was lost.

Mr Rodey moved that on page 3, section 7, second line, second word, to strike out the word "present" and insert "elected".

A division being called, resulted, Ayes 6 nays 2.

The amendment was lost.

September 13th A. D., 1869. Tenth Day.

The Switchard- moved the passage of the Articles of Executive Department, and demanded Ayes and Nays.

The roll being called resulted as follows;

Ayes: Messrs Abrahia, Barnes & Barr, Bascom Baca, Bernardo, Bristol, Catron, J. M. Clancy, J. G. Clancy, Fountain, Haberland, Herman, Kelly, Labato, Luna, Lujan, Nestor M. Anthony Mirabal, Otero, Perea, Perez, Pino, Switchard, Risch, Romero, Rumerson, Cristoval Sanchez, Leandro Sanchez, Alejandro Sandoval, Desiderio Sandoval, Pena, Springer, Stover, Trujillo, Ulibarri, Wiedmeier and Mr President. ---------- 36.

Nays. -- Messrs Caldwell, Reynolds, Tafoya, Tenbrook and Whites. ---------- 5.

Absent with leave. Messrs Arnijo, Manuel C. de Baca, Dow, Gallegos, & Fox ---------- 5.

Absent without leave, Messrs Bail, Burnett, Chavez, Jos. C., Hazeldine, Hart, Jaramillo, Lee, Sharp, Torres, Vanderveer and Whitmore. 11.

Absent sick. Johnson 1.

In explanation of his vote, Mr White paid, I think it inconsistent with peace and with the foregoing articles of the Constitution which have been adopted, therefore vote, no.

The president declared that a majority of the members present having voted for the Articles on the Executive Department, the same had passed.

Mr Reynolds moved that the Convention decline to accept the resignation of Mr Cristoval Sanchez as a member of the Committee on Educations.

Mr Risch seconded the motion.

The Convention by a majority vote, declined to accept the resignation of Mr. Cristoval Sanchez

as a member of the Committee on Education.

Mr Perez moved that the vote by which the Articles on the Executive department passed be reconsidered, and that that motion be laid on the table indefinitely.

The motion was adopted.

Mr Bristol asked unanimous consent to have the Articles on the judiciary department be made the special order at the beginning of the afternoon session.

The unanimous consent was granted.

Upon motion of Mr Perez the Convention adjourned itself 2 P. M. today.

Afternoon Session.

President Chavez called the Convention to order at 2 p. m. today.

There being a quorum present and no objection, the calling of the roll was dispensed with.

The president asks unanimous consent of the Convention that Mr. Bristol, owing to the feeble condition of his health, be permitted to speak from his seat.

The request was granted.

Mr. Bristol moved that the articles on judicial department be read the second time.

The motion was adopted.

The Articles was read the second time in English and was being read the second time in full in Spanish.

Mr Cristoval Pacheco moved that the further reading, second time in Spanish be dispensed with.

The motion was adopted.

Mr Bristol moved that the Convention be moved

September 13th A. D., 1859, Tenth Day.

resolved into the Committee of the whole, with the president in the Chair, to consider and report on the Article on Judicial Department.

The motion was adopted.

Convention in Committee of the whole, the president in the chair, at 2.20 p.m.

At 7.20 P.m., after three hours Continuous session in Committee of the whole, the President, as Chairman, announced that the Committee of the whole, had under consideration the Article on the judiciary Department, had made progress in its labors and asked to sit again.

Mr Marcos C. de Baca asked and was granted leave to be absent this the finish part of next week.

Mr Leandro Sanchez asked and was granted leave to be absent for several days.

Mr Cristoval Sanchez presented the following:

Hon. J. Franco Chavez.

Sir herewith I tender my resignation as a member of this Convention.

The president stated that he did not know that he or the Convention had any right to accept the resignation of a member.

Mr Rynerson moved to adjourned to 9 o'clock a.m.

Mr Stover moved to adjourned to 8.15 P.m. today.

a division being demanded upon the motion of Mr Rynerson, resulted Ayes 17, Nays 17.

Thereupon the president voted in the affirmative, which carried the motion, and the Convention adjourned till 9 a.m. tomorrow.

J. Franco Chavez,
President.

T. M. Ford
Secretary.

September 1st A. C., 1889, Eleventh Day.

Saturday, Sept. 1st, 1889.

At 9 o'clock a.m. pursuant to adjournment, President Chaney called the Convention to order.

Prayer by the Chaplain.

There being a quorum present, and there being no objection, the calling of the roll was dispensed with.

The President announced that Mr Edward Kemp a delegate elected delegate from San Miguel County, was present, that he had presented his credentials, taken the oath of office, signed the roll and was accordingly admitted to the Convention.

The journal of yesterday was read in English.

Mr Residencio Sandoval moved that the journal be read in Spanish.

The motion was adopted.

On motion of Mr. Ulibarri, the journal of yesterday was approved.

Mr Fauntleroy moved to make up the resolutions reported at a former day of this Session by the Committee on Ways and Means and read as follows:

That the Employees of this Convention be paid the following amounts per full compensation for their services respectively viz;

Secretary Eight dollars per day.
Assistant Secretary Six dollars per day.
Interpreter Eight dollars per day.
Stenographer Seven dollars and fifty cents per day.
Sergeant-at-Arms, five dollars per day.
Janitor, three dollars per day.

September 1st A. D., 1859. Eleventh Day.

Chaplain, three dollars per day.
Messengers, three dollars per day.
The motion to consider the above resolutions was adopted.
Mr Heman moved that the resolutions be adopted.
The motion was adopted, with only one negative vote.
Mr Kelley as Chairman made a partial report of the Committee on "Congressional requirements and taxation".
On motion of Mr Kelley the report was received and placed on the Calendar.
Mr Romero, as Chairman made a report of the Committee on "Apportionment".
On motion of Mr Romero the report was received and placed on the Calendar.
Mr Crumbo moved that the Convention now resolve into the Committee of the whole, with the President in the Chair, to consider section two of the Judicial Department.
The motion was adopted.
The Convention in Committee of the whole.
President Chavez in the Chair.
The President again called the Convention to order and as Chairman reported that the Committee of the whole, that the Committee had under consideration the Article on Judicial Department, had made some progress and asked to sit again.
The report of the Committee was adopted.
On motion of Mr White the Convention adjourned to two P.M. today.

September 11th A. D., 1889, Eleventh Day.

Afternoon Session.

At 2 P.m. pursuant to adjournment President Chavez called the Convention to order.

On motion of Mr. Rodey the rules were suspended and the introduced an article on the Constitution which was referred to the Committee on Bill of rights, etc.

On motion of Mr. Fitch the rules were suspended and he introduced an article on the Constitution which was referred to the appropriate Committee).

Mr. Rodey introduced a resolution, which under the rules was referred to the Committee on Bill of rights, etc.

Messrs Reynolds and Shupp were excused) till 10 o'clock a.m. tomorrow at 2. p. m.

Mr. Trimble moved that the Convention the same resolve into the Committee of the whole, with the president in the Chair, to consider section clay section the Article on the judicial department.

The motion was adopted.

The Convention in Committee of the whole, President Chavez in the Chair.

(After four hours and a half Continuance session in Committee of the whole), the president called the Convention to order, and as Chairman reported, that the Convention of the whole; that the Committee had under Consideration the Article on the judicial department, had made some progress and asked to sit again.

The report was adopted;

The president announced that Mr Morrow Bristol had been appointed to return

hours on account of personal interests, and if there were no objection moved the recess be; and it was so ordered.

The president announced that owing to the absence of Mr. Brittal, he named appoint Mr John d'. Bail Chairman of the judicial Committee.

Messrs Rodey and Pena asked and were granted leave till next Wednesday.

Mr. Kelley till next Tuesday and Mr Fountain till the 20th returns.

Mr Catron Chairman of the Committee on rules gave notice that he would add an additional rule.

On motion of Mr Manuel C. de Baca the Convention adjourned till next Monday at 9 a. m.

J. Francisco Chavez,
President.

J. M. Bond
Secretary.

Monday, Sept 16th 1889.

At 9 o'clock a.m. pursuant to adjournment Mr. Pedro Perea, called the Convention to order.

Mr Trimble arose and announced that Mr J. Frances Chavez the president of the Convention was sick in bed and unable to be present today, and that he therefore nominated Mr G.W. Pritchard a member of the Convention from San Miguel County to preside pro tem. of this Convention.

The motion was unanimously adopted,

Mr. G.W. Pritchard took the Chair and called the Convention to order.

(Prayer by the Chaplain).

September 16th A. D., 1859. Twelfth Day.

Mr. Spriggs arose to a question of privilege and read personal Articles to the Secretary to the read, which he charged were written by Dr. B. Adams as special Correspondent to the Las Vegas Optic, and which he charged were gross, wilful and deliberate misrepresentations of the facts in the case. He moved that a Committee of five be appointed by the Chair to carefully examine all the facts on both sides of the case and to report to the Convention at the earliest hour possible.

Messrs Herman and Rich both seconded the motion.

The Chair stated that under all the circumstances he thought it was a proper motion to be made.

The motion was adopted.

The Chair announced as the Committee Messrs Spriggs, Stephenson, Rich, Herman and Gramillo.

Mr Trimble announced that Mr Whitmore was the person selected by the judiciary Committee as the member of the Committee of revision.

On motion of Mr Rich the Article on Education was read the first and second time and placed on the Calendar to come up in its regular order.

Mr Trimble moved that the Convention resolve into the Committee of the whole, with the President pro tem in the Chair, to consider Articles 9 and 10 on the judicial department.

The motion was adopted.

The Convention in the Committee of the whole, (President pro tem Richard in the Chair.

September 16th A. D., 1859, Twenty-fifth Day.

The Chairman again called the Convention to order and as Chairman of the whole had taken under consideration the Articles on the judicial Department, had made some progress and asked leave to sit again.

The report was adopted.

Mr Springer asked and was granted leave to make a minority report from the Committee on Education.

On motion of Mr Kinnaman the rules were suspended and the Articles on Education reported by Mr Springer, was read the first and second time.

On motion of Mr Springer the Articles was placed upon the Calendar to come up in its regular order.

On motion of Mr Ullman the Convention took a recess till 2 p.m. today.

Afternoon Session.

Upon motion of Mr Kinnaman the Convention was now resolved into a Committee of the whole, with the President pro tem in the Chair, to consider further action by posting the Articles on the judicial Department.

The motion was adopted.

The Convention in the Committee of the whole, President pro tem Pritchard in the Chair.

The Chairman again called the Convention to order, and the Committee of the whole reported, that they had under consideration the judicial Department, had instructed the Committee to report back the Articles as amended.

September 16th A. C., 1859, Twelfth Day.

On motion of Mr Trimble the report of the Committee was adopted and the Articles on Judiciary ordered to lie on the table till tomorrow.

The Chairman announced that the would proceed with the call of the order of business. Motions, Notices, etc in order, None,
Unfinished business of the previous day. None,
Special order of the day. None.
General orders of the days. None.
Business on the table of the Convention. None.
Miscellaneous business. None.

On motion of Mr Caton the rules were suspended and the report of the Committee on Apportionment taken up.

The Articles was read the first time by title.

On motion of Mr Pena the Article was read a second time by title.

Mr Pena moved that the Convention be now resolved into Committee of the whole, to consider section by section the Articles on Apportionment, with the president pro tem in the Chair.

Upon a vote the Convention refused to go into a Committee of the whole.

Mr Caton offers the following;

One representative in the Congress of the United States shall be elected from the state at large, at the first Election under the Constitution, and thereafter at such times and places and in such manner as may be prescribed by law.

When a new apportionment shall be made by Congress, the Legislature shall divide the same into Congressional Districts accordingly.

Which was read and adopted.

September 16th A. D., 1859, Twenty fifth Day.

Mr Manuel C de Baca moved to suspend the rules to read the Articles the third time.

Mr Whitmore demanded the Ayes and Nays. Vote was as follows. Ayes 10 Nays 39 -

Ayes — Messrs Manuel C. de Baca, Pascual Baca, J.M. C. Chavez, J.G. Clancy, Francisco, Lujan, Pritchard, Reynolds, Rynerson and Sanchez.

Nays — Messrs Abeytia, Arnijo, Manuel C de Baca, Bail, Fernandez, Gurule, Caldwell, Catron, D.W. Clancy, Hakenbach, Herman, Henry, Lee, Labato, Luna, Martinez, Minaba, Otero, Perea, Perez, Secundino Sandoval, Sena, Sharp, Springer, Terrell, Trujillo, Van Vleet, White, and Whitmore.

Absent with leave. Messrs Bristol, Chaves, Gallegos, Fountain, Fox, Hazeldine, Hart, Kelley, Johnson, Pino, Rutch, Reedy, Romero, Orio-dorval Sanchez, Leandro Sanchez, Alejandro Sandoval, Storrer, Ulibarri, Wildenthein and Mr President.

The rules therefore were not suspended.

On motion the Articles were laid on the table to come up in the morning.

On motion of Mr Herman the Articles on Corporations were read the third time.

Mr Clancy moved to strike out Section first.

The motion was lost.

On motion of Mr. Otero the Convention went into Committee of the whole, on the Articles of Municipal Corporations. Motion carried.

Convention in Committee of the whole.

Convention called to order, again by the President.

The Chairman reported the Articles as amended, be adopted.

On motion of Mr Rynerson the Articles

municipal Corporations was read the third time.

Mr. Trimble moved to strike out "who shall be payers of taxes on property therein," and on his motion the Ayes and Nays were demanded, resulting as follows; Ayes 15, Nays 21.

Mr Bail explained his vote.

The motion of Mr Trimble was lost.

The Article was adopted as amended, and it thereforo passed.

On motion of Mr Catron, the vote was reconsidered and that motion laid on the table, Ayes 16, Nays 14. The motion was carried.

Mr Springer presented his report from the Special Committee appointed in reference to W. D. Sloan, as follows;

To the President of the Constitutional Convention, Sir;—

Your Committee to whom was referred certain articles in a Newspaper known as the Las Vegas Optic, purporting to be reports of the proceedings of this Convention, report as follows;

Your Committee called upon W. D. Sloan the reporter for the paid newspaper, who has been accorded the privileges of the floor in that Capacity, to make any statement he desired on the subject. He claimed that his dispatches as printed in the paid paper, had been materially altered from the originals, and consented that the Committee examine the original of the dispatch of Sept 14th in the telegraph office, and take a copy of it, which was accordingly done), and the paid dispatch as

actually sent they were is permitted herewith.

Mr Sloane denies absolutely that the furnished to the paid newspapers any notes or statements like the one appearing in the editorial page of said newspapers of Sept. 14, in relation to the provisions concerning trusts and monopolies. As this was not a telegraphic dispatch, has no means of determining the fact, and can only report upon this point, that the Editor of the Optic states, that said article was taken from Mr Sloane's notes, while Mr Sloan denies it.

With regard to the Special dispatch to the Optic, dated Sept 14th, purporting to give an account of the action of the Convention in regard to the judicial department, finds that the original dispatch was somewhat amplified in printing, and that the word "District" before "judges and their Clerks", was inserted after transmission from the Santa Fe telegraph office.

As the dispatch was actually sent, however, the Committee find that the statements therein contained in regard to the appointment of judges and their Clerks, is wholly misleading in that it fails to specify the Supreme judges, who were the only judicial officers as to whom such action was taken by the Convention, and that in Connection with the other language used it was calculated to produce the impression that the action of the Convention applied to all judicial officers and their Clerks.

It distinctly states that certain members of this Convention, mentioned by name, were the principal opponents to electing judges

and Clerks, thus intimating that these members opposed the Election of judges and clerks of Court in any case. This statement is misleading very near to the extent of a deliberate falsehood. The statement as to the speech of the member from Bernalillo, Mr Otero, is equally false and scandalous as in the printed dispatch, and your Committee are unable to find any excuse for it. Mr Sloan has submitted a written Statement covering the above subjects, which is attached to this report.

Your Committee are of the opinion that when the Convention accorded to reporters and correspondents of newspapers, the courtesies and privileges of the floor, it was upon the implied condition that its proceedings should be correctly reported by them, and that when any reporter or correspondent, either through ignorance or malice, violates this condition, he forfeits all claim to such privileges.

Your Committee therefore unanimously offer the accompanying resolutions and recommend their passage.

Very respectfully,
Frank W. Springer
W. L. Rynerson
Theo. M. Herman
Pedro Sp. Jaramillo.

Santa Fe, N. M.
Sept. 16th, 1889

Santa Fe - 16/89.

Optic
Las Vegas,

Judicial articles continued under
Elections. rights privileges &c,

September 16th A. D., 1889. Twenty-Sixth Day.

Governor to appoint judges and judges Clerks. Otero, Catron, Clancy of Santa Fé, Springer and Hazeldine were the principal opponents to Electing judges and clerks. Had an American made the speech Otero did against this race), the words of shame to Emigrater,

The friends of the measure who made speeches were Bristol, Trimble, Ryerson, President Chaves, Rodey, Whitmore and Dancies of Moral. Judge Bristol left the Convention in disgust, paying cuss words, as did others. It is the School question which has so many members.

Bloom.

Santa Fe, Sept 16/89.

Hon F. Springer,
Chairman of Committee on Investigation &c.

Gentlemen;-

In reply to your question as to what explanation I had to make as to the Editorial Article in the Optic of the 14th in relation to W. H. Hitch's Article on Trusts. I will say I know nothing about it. A copy of the original Article in question as introduced in the Convention, was furnished me by a member of the Convention, which I put to the Optic, with this addition.

That the Convention did not take action on it but referred it to a Committee, to my recollection of the facts.

The Article on third page of the Optic of the 14th. I do not know anything about. It was not furnished by me.

The Special Telegram of the 14th as

printed is not in any article, it is materially changed from the one sent by me.

When my telegram was received it was immediately on the close of the discussion of the Supreme Court Articles on judges and clerks, and had no reference and without thought to subsequent actions as do district courts and clerks. My telegram does not use the word "District Judges". I admit I should have put the word "Supreme" before the word Judges. On the next day not getting the telegram off the night before, without stopping to read it over, changed the date to the 14th and sent it before coming to the Convention.

When action was taken on the District Judges I was not in the Convention and that was omitted. Sunday dispatch straightens out all concerning the expression attributed to Mr Otero. I used the words "his race" which I should have omitted.

I regret the irritations to the extent to which I am at fault, and so far as lies in my power, Corrections shall be made regardless of what this Convention may do. And in the future if I continue to report, will be both cautious and prudent. I have plainly stated, and with a. I am open. But I the head responsible for what I do.

Respectfully yours,
W. D. Mann.

September 16th A. D., 1889. Twenty-fifth Day.

Whereas,

it has been brought to the notice of this Convention, that one W. B. Sloan, who has been enjoying the privileges of the reporters table with this Body of Convention shall, as the correspondent of the Las Vegas Optic, on the 14th of September past to the said newspaper, a special telegraphic dispatch purporting to give an account of the action of this Convention upon the Articles of the Constitution relative to the judicial department, which dispatch appeared in said publication in the Las Vegas Optic of date Sept 14th, with false additions to the original which pimply misconstrue the evident animus of the original, and

Whereas, after being given full opportunity therefore, the paid Correspondent has failed to offer any satisfactory Explanation of his action, thus leaving no other inference than that the paid dispatch was the result of a deliberate intention to misrepresent the action of this Convention, and to bring upon certain members thereof the Condemnation of the people of the territory, for alleged votes and speeches not given by them; therefore be it

Resolved,

That the statements contained in the special dispatch to the Las Vegas Optic, of date Sept 14th 1889, purporting to give an account of certain proceedings of this Convention in relation to judges and Clerks, are false in fact, and scandalous in statements, and are made with the transparent intent to bring this Convention into public disrepute for

acts which never occurred.

And be it further

Resolved,

That the privileges of the floor of this Convention, usually accorded to reporters, are hereafter denied to W. B. Sloan as a newspaper Correspondent or reporter.

Mr Perea moved that the report of the Committee considering the matter regarding W. B. Sloan, as the Optic Correspondent be received and the resolutions be adopted.

The motion was adopted. Ayes 30, Nays, none.

Upon motion of Mr Perea a vote of thanks was extended to the special Committee for the prompt action rendered upon their report and resolutions just received and adopted.

Mr Heman offered the following;

Resolved,

That there be hereby elected a Copying Clerk at a salary of five dollars per day, and that Charles L. Thayer be hereby hereby elected as such Copying Clerk.

On motion of Mr. Stevenson, the resolution was adopted and Mr O. V. Thayer was elected as Copying (or journal) Clerk.

Mr Marcos C de Baca moved to take a recess till 8 O. M.

On motion of Mr Catron the Convention adjourned till 9 A.M. tomorrow;

J. Franco Chaves
President

I. M. Bond,
Secretary.

September 17th A. D., 1889. Thirteenth Day.

Tuesday, Sept 17th, 1889.

At 9 a.m. pursuant to adjournment, President pro tem Pritchard called the Convention to order.

Prayer by the Chaplain.

There being a quorum present and no objection, the calling of the roll was dispensed with.

Mr Heman arose to a question of privilege and stated that Mr C. F. Eddy a regularly elected delegate from the County of Lincoln was present, and asked that he be sworn in.

Mr Eddy was duly qualified and took his seat as a member of the Convention.

On motion of Mr Romero, the reading of the journal was dispensed with, and the journal was approved.

On motion of Mr Otero, the Convention took up the report and article on apportionment.

The report of the Committee on apportionment was made in as follows;

Santa Fe, N. M., Sept 16th 1889.

To the Constitutional Convention;

Mr President,

Your Committee on Apportionment have had under consideration the apportionment of the State for Senators and Representatives, and respectfully present the accompanying article as their conclusions and determinations;

They have arrived at this result by using as a basis the registrations in each County at the last general Elections, showing the following as the registered votes, to wit;—

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In Bernalillo County,	5298	In San Miguel County	7845
In Colfax County,	2640	In Santa Fe County,	3756
In Doña Ana County	2566	In Sierra County,	1884
In Grant County	3127	In Socorro County	2579
In Lincoln County	2343	In Taos County	2200
In Mora County	2940	In Valencia County	1801
In Rio Arriba County	3133	In San Juan County	581

making a total of ----------47698.

The Committee deducted from the total registration in Rio Arriba County, three hundred votes and added that number to Santa Fe County, and from Bernalillo County seventy five votes and added that number to Santa Fe County; it being agreed that about that number of the registered voters of those two counties had by the Act of the Legislature been taken from those counties and included in the County of Santa Fe. The Committee also took 1800 as the number to represent one Senator and 900 as the number to represent one Representative. In making the apportionment in that ratio, it was found that Mora County after being allowed one Senator, had an excess of 1140 votes, and Colfax County after being allowed one Senator, had an excess of 840 votes, the two being contiguous counties, the Committee deemed it advisable to make them jointly constitute one Senatorial district to represent the excess over the apportionment of one Senator each. The County of Grant after being allowed one Senator had an excess of 1327 registered voters, and the County of Doña Ana after being allowed one Senator had an excess of 766 votes, on account of which excess in

said three Counties, the Committee deems it advisable, to make them constitute one senatorial district, and to allow to such district one senator in addition to one senator for each allowed to said Counties, which makes up the total number of twenty two senators provided for by the Constitution.

On dividing the representation between the several counties in the ratio of one representative to Each 900 registered voters, it was found that Doña Ana County after allowing it two representatives, had an excess of 768 registered votes, and the County of San Miguel after allowing it Eight representatives had an excess of 645 registered votes. The excess in Each of the two last mentioned Counties, being more than three thirds of the number required for one representative, and being the largest number of Excess over the requisite proportion of any of the Counties, the Committee deems it proper, to allow Each of said Counties, one additional representative, so that the County of San Miguel would have nine, and the County of Doña Ana, three representatives, which makes two representatives apportioned by the Committee in excess of the twenty four fixed by the Convention. In order to do absolute justice, and make the representation fair beyond dispute, the Committee deems it proper to add three, therefore recommend that the Convention increase the number of representatives, from forty four as fixed to the number of forty seven.

(All of which is respectfully submitted)

Trinidad Romero
Chairman

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On motion of Mr Otero the Convention was resolved into a Committee of the whole, President pro tem Pritchard in the chair to consider sections thirty section the article on apportionment.

The Convention in Committee of the whole President pro tem Pritchard in the chair.

The president pro tem again called the Convention to order, and as Chairman of the Committee of the whole, reported that the Committee had under Consideration the report of the Committee on Apportionment; had finished the consideration of the same and by vote reported it back to the Convention with certain amendments, with the recommendation that the article pass as amended.

On motion of Mr Otero the report of the Committee was adopted.

On motion of Mr Otero the Convention proceeded to consider the articles reported from the Committee of the whole as amended.

Mr Patterson offered the following amendment:

(1) the end of Section 1, add: Provided that the apportionment therein shall not be made until after the census of 1890 shall have been taken.

The motion was adopted.

Mr. Whiteman moved to strike out in section three after the word "three" and insert "four", and upon that motion demanded the Ayes and Nays. Which being called resulted as follows: Ayes. Messrs Hyman, Long, Pritchard, Patterson, Price, Trimble, White, Whiteman. 8.

of the Convention.

On motion of Mr. Perea the report of the Committee on Congressional requirements and taxation was taken up.

The Chair announced that the article had been read the second time.

On motion of Mr Kinnison the Convention was resolved into the Committee of the whole to consider the Article on Congressional requirements and taxation.

Convention in Committee of the whole.

The president pro tem again called the Convention to order, and as Chairman reported the Committee of the whole had under Consideration the Article on Congressional requirements and taxation, had made some progress and asked to sit again.

On motion the report was accepted.

On motion of Mr Kinnison, Mr E. P Hobart, a legally Elected delegate to the Convention from San Miguel County, was qualified and took his seat in the Convention.

Upon motion of Mr Kinnison the Convention took a recess until 2 P. M.

Afternoon Session.

The president and president pro tem both being absent, the Secretary called the Convention to order.

Mr Stover a member from Lincoln County was nominated president pro tem.

The Secretary put the question and Mr Stover was duly elected and took the chair.

On motion of Mr Perea the Convention

C. Duncan, Vice-President, Presiding. Roll called.
Quorum present.

Mr. Reid asked leave of absence from voting.

Explanation of this vote. Mr. Reid paid. Does not like the clause. Does not wish the door open for warrants. Thinks to fund warrants. And I think we are likely to pay dear for the privilege of being a state.

In explaining this vote Mr Whited paid. - If the Territory of New Mexico is indebted to any person or persons, the state of New Mexico ought to account that debt, and the Courts or the proper authority must decide upon the validity and the justness of the debt. I do not think for the adoption of repudiation should enter the thoughts of our Constitution. I therefore vote, Aye.

The Article was therefore passed.

On motion of Mr Rencher the vote by which the Article passed was reconsidered and that motion be laid on the table.

On motion of Mr Ritch the rules were suspended and he made a report from the Committee on Education.

Mr Heman moved to take a recess until 8 o'clock P. M.

Mr Whitmore asked and was granted leave of absence for one day.

The Convention refused to adjourn.

On motion of Mr Pena the rules were suspended and the partial report of the Committee on Congressional Requirements was taken up.

On motion of Mr Rencher the Convention was resolved into a Committee of the whole,

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the President pro. tem in the chair, to consideration pertaining thereto, the Articles presented by the partial report of the Committee on Congressional Requirements,

The Convention in Committee of the whole.

The President pro. tem again called the Convention to order, and as Chairman reported that the Committee of the whole, had under consideration the articles presented with the partial report of the Committee on Congressional Requirements, and the Committee of the whole recommend the same do pass as amended.

On motion of Mr Marcos C de Baca, the report was adopted.

On motion of Mr Marcos C de Baca the Articles was read a 3rd time.

Mr Pena again demanded an Aye and Nay vote on his amendment as previously offered which resulted Ayes 12, Nays 24, viz:-

Ayes: Messrs Manuel C de Baca, Gallegos, Luna, Lujan, Martinez, Miniral, Pena, Perez, Rich, Sandoval, Pena, Valdez- 12.

Nays: Messrs Arguello, Armijo, Marcos C de Baca, C. Baca, Caldwell, Catron, J.M.C. Chavez, J.M., Chavez, J.G. Chavez, Haberland, Henry, Hobart, Johnson, Otero, Pritchard, Reynolds, Symmes, Rupp, Spruance, Stover, Terrell, Trimble, Trujillo and White. Total 24.

Absent with leave: Messrs Dimas, Faur, Gallegos, Garretson, Fox, Hazeldine, Heron, Hart, Jaramillo, Kelley, Lee, Pino, Rodey, Romero, C. Sanchez, Ef. Sanchez, W. Sandoval, Vanderveer, Whitmore, Wiedemeier and Mr President. 21.

Mr Pena gave the same reasons for his vote this time as on a former vote.

Mr Pino's amendment was again lost.

September 7th A. D. 1859. Wednesday

The Secretary read the last days proceedings which were agreed to, as read, with the exception of Messrs Bacon, Bell, Lawrence, Mathews, Watson, Jno. C. Clarey, F. M. Clarey, Jas. Clarey, Habersack, Henry, Labato, Lucas, Sayer, Otero, Whitehead, Hay, Reeds, Risch, Raymond, Schupp, Spurgin, Stover, Tarrell, Tremble, Turpin and White.

Nays, — Messrs Manuel C. Baca, Martinez, Minival, Pena, Perez, Sena, and Ulibarri.

Absent with leave, Messrs Brittal, Burns, Dow, Eddy, Hall, Fountain, Fox, Hazeldine, Hart, Jaramillo, Kelley, Lee, Lehman, Rice, Rodey, Sowers, C. Sanchez, L. Sanchez A. Vandoval, M. Vandoval, Vanderveer, Whitmore, Wildenstein, and Mr President.

Mr Pena explained his vote as follows:

I vote no, because Sec. 8 as it now reads leaves the door open for warrant holders, to come before Legislature, to fund military of so called militia warrants, and I think we are likely to pay dear for the privilege of being a State.

The Articles thereafter passed.

On motion of Mr Watson the Convention adjourned till 8 O. M, today.

— Evening Session. —

The Convention was called to order at 8. O. M. pursuant to adjournment, by Mr Pritchard, President pro tem.

There being a quorum present, and there being no objection the calling of the roll was dispensed with.

The Article on Education being the special

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order for the evening session, were taken up and read the first time in full.

On motion the Article was read a second time by title.

On motion of Springer the Convention was next resolved into the Committee of the whole, with the President pro tem in the chair, to consider sections by section the Article on Education.

Convention in Committee of the whole.

The President pro tem again called the Convention to order, and as Chairman reported that the Committee of the whole had considered the Consideration of the Article on Education and recommend that the same do pass.

On motion of Mr. Marcus Ode Baca, the report was adopted.

On motion of Marcus Ode Baca the rules were suspended and the Article read the third time by title.

On motion of Mr Pena the words "tax payers" in section 8 were stricken out and the words "payers of taxes on taxable property" were inserted therefor.

Mr Pereg moved to amend so that the State School Superintendent shall be elected, and demanded the ayes and noes, which resulted as follows: Ayes 13, Nays 23, viz;

Ayes, Messrs, Aleptia, Arnijo, Benavidez, Bires, J.M.C. Chaves, Haberland, Jaramillo, Luna, Lujan, Miranal, Pereg, Pena and Trimble.

Nays, Messrs Bail, Caldwell, Catron, J.W. Chaves, J.A. Chaves, Cobby, Heman, Hobart, Heinz, Lee, Labato, Otero, Rosa, Reichard, Raynolds, Ritch, Thornton, Shupp, Springer, Stover,

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Terrell, Vandeveer and Dr Ritter.
Absent with leave, Messrs, Marshall, Dow, Gallos, Fountain, Fox, Hazeldine, Hart, Kelly, Lohman, Martinez, Pino, Rodey, Thomas, O, Sanchez. L. Sanchez, A. Sandoval, W. Sanderval, Trujillo, Usiborre, Whitmore, Wiedenstein and Mr President.
Mr Perea Explained his vote.
The amendment of Mr Reed to elect the State school Superintendent was not adopted.
Mr Heman moved that the Articles on Education do now pass.
Mr Perea demanded the ayes and nays; a sufficient number, (5) did not arise and the demand was not sustained.
Mr Springer said he moved that the vote be taken by a rising vote and said he hoped the vote would be unanimous.
The motion was adopted, the vote so taken and resulted ayes 30, nays 1. (Mr Perea.)
The article was therefore passed.
On motion of Mr Marcos C. de Baca the Convention adjourned to 9.30 a.m. tomorrow.

J. Franco. Chaves,
President

I. M. Bond
Secretary.

Wednesday, Sept. 18th, 1889.

At 9.30 o'clock a.m. pursuant to adjournment, President pro tem Critchard called the Convention to order.
Prayer by the Chaplain.
There being a quorum present, and no objection, the reading of the roll was dispensed

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with.

On motion of Mr Marcus C de Baca the reading of the journal was dispensed with, and the journal approved.

On motion of Mr White the thanks of the Convention were extended to the Committee on Education for the able and prompt manner in which the Committee had discharged their arduous duties.

Upon motion of Mr Trimble, the judicial article, which was the special order for last Monday was taken up for the third reading.

Mr Ferrell offered the following amendment:

Sec. 1 - Amend - In the fourth line, strike out the word "six" and insert "twelve", in the fifth line strike out the word "two" and insert "four", strike out the word "four" and insert "eight", and strike out the word "six" and insert "twelve".

Mr Marcus C de Baca moved to lay the motion on the table.

A division being called resulted Ayes, 2. 5, Nays - 9.

The amendment was laid on the table.

Mr. Raymond offered the following amendment to Section 1:

The first justices of the Supreme Court shall be appointed by the Governor, by and with the advice and consent of the Senate; one for two years, one for three years, and one for six years, who's successors and the justices thereafter, shall be elected by a vote of the people, and hold office for the term of six years.

The judges having the shortest term to

persons shall the the "Chief Justice."

Mr Springer moved to lay the amendment on the table.

The Ayes and Nays being demanded, resulted Ayes 25, Nays 14 viz;

Ayes - Messrs Chapman, Arnijo, Baca, Bail, Burns, Caldwell, Catron, Jm. C. Chaves, J. M. Chaves, J.G. Chaves, Hazeldine, Henry, Otero, Pena, Perez, Pritchard, Ritch, R. Sanchez, Pena, Sharp, Springer, Trujillo, Ulibarri, Vandeveer and White.

Nays; Messrs Marcos Cde Baca, Jaramillo, Lee, Labato, Luna, Lujan, Martinez, Minaro, Rokey, Rynerson, D. Sandoval, Stover, Sunill, and Trimble.

Absent with leave, Manuel C de Baca, Benevides, Crystal, Dow, Eddy, Gallegos, Hamilton, Fox, Haberland, Herman, Hatch, Hart, Kelley, Lohman, Otero, Raymonds, Romero, C. Sanchez, A. Sandoval, Whitaman, Widenmann and Mr President.

Mr Pena moved to amend Section 8 by inserting after the word dollars, "which shall not exceed five thousand dollars per annum."

Mr Springer seconded the motion.

The amendment was adopted.

Mr Manuel C. de Baca, moved the following substitute to section 12.

The Clerk of the Supreme Court shall be elected by the people, and shall hold his offices for two years, his Compensation shall be fixed by law, and his duties shall be prescribed by law.

Mr Springer moved to adopt the substitute on the table.

Motion lost.

Mr. Rynerson moved the adoption of the

substitute of Mr Manuel O de Saca.

Mr. Rodey moved to insert after the word "year)", the words "subject to removal by the Court.".

Mr. Manuel O de Saca moved to lay the amendment of Mr. Rodey on the table.

Motion Carried.

A division being called for on the motion of Mr Manuel O. de Baca resulted, ayes 21, nays 21.

Mr Trimble demanded the ayes and nays. which resulted ayes 16, nays 26. to wit;

Ayes. Messrs Manuel O de Baca, Bail, Barnes, Haberland, Heman, Jaramillo, Lee, Lobato, Luna, Martinez, Miranda, Symmons, N. Sandoval, Pena. Trimble and Vigil.

Nays. Messrs Abeytia, Armijo, Marcos O. de Baca, P. Baca, Caldwell, Catron, J.M. O. Chavez, F.W. Clancy, J.G. Clancy, Hazeldine, Henry, Lujan, Otero, Perea. Perez, Pritchard, Ritch, Rodey, L. Sanchez, Skupp, Spruance, Stover, Tennis, Trujillo, Vandenveer, and White.

Absent with leave, Messrs Benavides, Bristol, Dana, Eddy, Gallegos, Fountain, Fox, Hobart, Hook, Kelly, Lohman, Pino, Raymolds, Romero. O. Sanchez, A. Sandoval, Wildenstein and Mr President.

The substitute of Manuel O. de Baca was lost.

Mr. Rodey offers the following amendment to Sec. 8:

"Reapportionments of such districts shall be made that at the time of any reapportionment, the districts shall not all be of the same political party.

A division being demanded resulted

Ayes 15, nays

The amendment was lost.

Mr Otero, by unanimous consent was granted leave to take up the articles on the Executive Department, and moved to amend Section one by inserting after the words "attorney general", the words "superintendent of public instruction".

The motion was adopted.

Consideration of the judicial Articles was resumed.

Mr Marcos C. de Baca moved to amend Section 17 by striking out "four" and inserting "two" and salary not to exceed $2,500.

A division being demanded resulted of ayes 11, Nays 21.

The amendment was lost.

Mr Marcos C. de Baca offered the following;

That word "four" be stricken out and insert "for life" in lieu thereof, and salary to be $20,000.

Mr Kinan moves to lay the motion on the table.

Motion carried, and the amendment was laid upon the table.

Mr Miranda, offers the following amendment to Section 18;

No person shall be eligible to the office of District Court unless he be learned in the laws, the at least thirty years of age, and a citizen of the United States, nor unless, he shall have resided in the State or Territory, at least two years next preceding this election, nor unless he shall at the time of this Election, be an Elector within the judicial District for which he is elected. Provided; That at the first Election, any persons of the requisite age and learning, and who is an Elector of the

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Secretary of New Mexico, under the laws thereof, at the time of the adoption of this Constitution, shall be eligible to the office of Judge of the District Court of the Judicial district within which he is an elector.

The amendment was lost.

Mr. Akey moved to strike out "30" and insert "25 years of age". Motion lost.

A division being demanded resulted ayes 9, nays 16. The motion was lost.

Mr Clancy offered the following amendment to Section 18, —

Amend by inserting after the word "Standing" in line 4, the following: "as a judge of the Supreme or District Court."

On motion of Mr Catron the amendment was adopted.

Mr Manuel C. de Baca offered the following amendment to Section 18: —

"A resident of the Territory or State for at least five years before his election, and a permanent resident of the district in which he is elected and"

A division being demanded resulted ayes 14, nays not counted.

The Amendment was lost.

Mr Ryan offered the following substitute for Section 16.

The State shall be divided into six judicial Districts, arranged as may be provided by law, But the number of such districts may be by law, diminished at any time and may be increased by law after six years from the time this Constitution goes into effect.

Until otherwise provided by law the said districts shall be as follows;

First District, the County of San Miguel;
Second District, the Counties of Mora, Colfax
and Taos.
Third District, the Counties of Santa Fe, Rio
Arriba and San Juan.
Fourth District, the Counties of Bernalillo and
Valencia.
Fifth District, the Counties of Sierra, Grant
and Socorro.
Sixth District, the Counties of Lincoln, Chaves and Eddy.

A division being demanded resulted ayes 9, nays 20.

The substitute was lost.

Mr Rodey offers the following new section;

Sec.— The Judges of the Supreme Court, District Court and Probate Courts shall be removed by the Governor on the address of two thirds of each house of the Legislature for wilful neglect of duty, incompetency, habitual drunkenness, oppression in office, or other reasonable cause which shall not be sufficient ground for impeachment. Provided, however; That the cause or causes for which such removal shall be required, shall be stated at length in such address and entered on the journals of each house.

And provided further; That the cause or causes shall be notified to the Judge so intended to be removed, and he shall be admitted to a hearing in his own defense before any vote for such address shall pass, and in all such cases the vote shall be taken by ayes and nays and entered on the journals of each house respectively.

Which was not adopted.

The Chair announced having received a

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letter from Mr Kelley asking for a few days further leave of absence. Which was granted.

The Chair announced the additional members on the Committee on revision and adjustment. Messrs W. O. Hazeldine, S. P. Rodey, M. P. Otero, J. A. Whitmore, F. W. Clancy, W. E. Kelley, W. L. Rynerson and Trinidad Romero.

On motion of Mr Ritch the Convention adjourned to 2 P. M. today.

Afternoon Session

At 2 p. m. pursuant to adjournment, the president pro tem being pick and the president pro tem not being present, on motion of Mr Perea, Mr E. P. Stover of Bernalillo County was elected president pro tem.

President Stover called the Convention to order and extended his thanks to the Convention for the honor of calling him to preside over its deliberations.

Mr Knaebel moved to strike out section 28 as submitted and to now concur in the amendment, and demanded the ayes and nays.

Result, ayes 9, nays 23 viz;

Ayes, Messrs Manuel C de Baca, Marcos C de Baca, Bail, Benavidez, Burns, Cadwell, Jos. C. Chavez, Haberland, Jaramillo, Lee, Lobato, Luna, Lujan, Miabal, D. Sandoval, Stover, Tenorio, Trimble and White.

Nays. Messrs Abeytia, Armijo, P. Baca, Catron, F. W. Clancy, J. G. Clancy, Eddy, Hazeldine, Herman, Henry, Martinez, Otero, Perea, Perez, Ritch, Rynerson, L. Sanchez, Shupp, Spencer, Tamme-lier, Valdez and Vanderwerk.

Absent with leave, Messrs, Arnold, Bant, Bradford, Fountain, Hobart, Hart, Kelley, Lakin, Otis, Richard, Romero, C. Sanchez, A.

Resolved, That Messrs. Whitmore, Middlemiss and Jones, President:

The amendment was put.

Mr Abney offered the following substitute for Section 28: There shall be a Probate Court in each county, the jurisdiction of which shall be prescribed by law. The Probate Court in each County shall be a continuation of the probate Court of the Territory of New Mexico.

Upon a division the substitute was adopted by a vote of Ayes, 20, Nays 16.

Mr Kinsell made a minority report from the Committee on Corporations.

On motion of Mr Kinsell, Mr Eddy was added to the Committee on water rights, etc.

On motion of Mr Ritch, Mr Henry was placed on the Committee.

Mr Spencer presents the following report from the Committee on public institutions and Buildings.

Mr President:

The Committee on Public Institutions and Buildings beg leave to report that they have had under consideration, subjects pertaining to the duties of the Committee, and as the Committee on the Constitution through its other Committees had adopted into the Constitution all provisions relating to public Institutions and Buildings, which plan necessary, your Committee has nothing further to report and respectfully ask to be discharged.

W. S. Spencer,
Pedro Sanjuan,
Dr. H. Skupp,
Vicente Chaplin,
Committee

which was adopted.

On motion of Mr Heman the rules were suspended and the article on Counties was read the second time.

On motion of Mr Stover the Article was ordered to take its regular course.

The Chair resumed the call of the order of business.

Reports of Special Committees, None.
Articles on second reading None.
Articles on third reading None.
Motions, Notices, Etc, None
Unfinished business None,
Special orders of the day None,
General orders of the day None,
Business on the table of the Convention. None,
Business on the presidents table, None,
Miscellaneous business None,

Mr Heman moved that the Convention be now resolved into the Committee of the whole, with the president pro tem in the chair, to consider section by section the report of the Committee on Compensations.

Mr Cross moved to take a recess for half an hour, and a division upon the motion resulted ayes 23 nays 3.

The motion prevailed. The Convention was in recess.

The president pro tem again called the Convention to order.

The question recurring upon the motion of Mr Heman, it was adopted.

The Convention was in Committee of the whole.

The president pro tem again called the Convention to order, and as Chairman, reported the Committee had under consideration the Articles on Compensations and recommends that it do pass.

[illegible]

[illegible]

[illegible]

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was stricken out.

Mr. Newman moved to amend section 5, line 1, after the word "shall" and before "engaged", insert "as guide or head messenger or".

The motion was adopted.

Mr Springer moved to amend by striking out "one" or wherever "known place" and insert "a designated place", also strike out "or agent in the house" and insert "within the state."

Mr Wabash moved to amend by inserting in 1st line, 3rd page, after the word agent, "or officer)".

The amendment of Mr Wabash was not adopted.

The amendment of Mr Springer was adopted.

The section as amended was adopted.

On motion of Mr. Clancy, "incorporated" was inserted after City and "incorporated" was stricken out in the second line.

Section 4 was adopted.

Section 11 was adopted.

Mr Hodey offered the following amendment:

After railroads organized or chartered, under the laws of this or any other state, and doing business in this state.

The amendment was adopted.

The remaining sections were adopted.

On motion of Mr Heman the preamble, as reported by the Committee was adopted.

On motion of Mr Heman the articles as amended was adopted.

Mr Heman moved to recommend the articles passed, and moved to lay that motion on the table.

Motion adopted.

On motion of Mr Shaw, the Committee was discharged with the President pro tem in

September 19th A. D., 1889, Fifteenth Day.

I am Very Respt'y Yours,
W. D. Lee.

There being no objection Mr Lee was excused.

On motion of Mr Herron the reading of the journal was dispensed with, and the journal was approved.

The Convention resumed consideration of the report of the Committee on Corporations, public, private, County, City and precinct.

The question recurred upon the motion of Mr Rymerson to strike out the report of the Committee.

A division being demanded resulted. Ayes 13, nays 18.

The motion was not adopted.

Mr Roddy moved that in lieu of the words "are now provided for by law", in section 1, line 2, to insert "Existed on the 4th day of July 1889."

Mr Pritchard arose to a point of order, that the gentleman from Bernalillo, (Mr. Roddy) was out of order by speaking more than once before all other members had spoken on the question.

The president decided the point of order well taken.

Mr Otero, offered the following substitute; Sec. — New counties may be formed out of territory taken from one or more other Counties, whenever the territory which it is thus proposed to erect into a new County, shall have a population of two thousand (2000) persons or more, (whenever) the people of any such Territory shall desire to form a new County, and state presented to the Legislature

a petition for that purpose signed by at least two hundred (200) of the bona fide residents of such territory, the Legislature shall submit the question to the qualified voters within the limits of the proposed new County, and if a majority of the qualified voters thereof shall vote in favor of the measure, such new County shall be organized by the Legislature, and every new County when thus organized, shall be required to assume a share of the indebtedness of the County or Counties from which the said territory was taken, in proportion to the assessed values of its property, except such indebtedness as may have been incurred from the Erection of public buildings or any other public improvements of a permanent character not within the limits of the proposed new County.

Which was read.

Mr Stover demanded the previous question.

The demand for the previous question was not sustained.

Mr. Clancy offered the following Substitute for the Substitute. (for Section 2.

Section 2. (Provision) shall be made by general laws for the creation and organization of new Counties. But the creation of any new County shall be submitted to the votes of the qualified electors in the territory embraced within the proposed new County, before such County shall be created, but no County now Established shall be reduced nor shall any new County be formed so as to have less population than will be sufficient to entitle it to at least one representative in the Legislature.

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Mr Otero, accepted the substitute offered by Mr Clancy.

Mr Rodey moved to lay on the table the substitute offered by Mr. Clancy.

The motion was not adopted.

On motion of Mr. Leandro Sanchez the substitute of Mr. Clancy was adopted.

On motion of Mr. Ryerson the first section was adopted.

Mr X. H. Clancy offered the following amendment to section 3.

Strike out in line 3, "or to a population of less than four thousand people" and in lines 5 and 6, "and four thousand inhabitants."

The motion was adopted.

Mr Catron offered the following amendment; Insert after "miles" in line 5, "until ten years after this Constitution goes into effect."

Mr Rodey moved to lay the motion on the table.

The motion was not adopted.

The amendment offered by Mr Catron was then adopted.

On motion the section as amended was adopted.

On motion of Mr Manuel C. de Baca, section No. 4 was adopted.

Mr White offered the following as Section 5.

Whenever territory is taken from any County or Counties and attached to any other County or Counties, or whenever a new County is formed, the County to which territory is attached, or the new County shall be liable to pay its ratable proportion of all the then existing liabilities

of the County or Counties from which said part is taken, or from which said new County is formed, less the same ratable proportion of the value of the County building and property of the County from which such territory is taken.

Mr Heman for the Committee accepted the amendment.

On motion of Mr Nymerson the amendment was adopted.

On motion of Mr Pereal, by unanimous consent, the Convention reverted back to Section 8 and it was read.

Mr Hazeldine offered the following amendment; Provided, such portion so taken shall have been a portion of the County from which the same is taken, for not less than four years preceding.

On motion of Mr Marcos C. de Baca the amendment was adopted; and upon this motion Section as amended was adopted.

Mr J. W. Clancy offered the following amendment:- Strike out; "If no place receive a majority, the two places which have the greatest number of votes shall be the County seat."

Motion was adopted.

Mr J. W. Clancy introduced the following; Section — All County and precinct officers shall be elected by qualified electors of the County — or precinct respectively, and City, Town or village officers shall be Elected or appointed as shall be prescribed by law.

Mr Marcos C. de Baca introduced the following; Section — No Sheriff, Collection of taxes, County Commissioner and Assessor, shall hold office for

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two consecutive terms, nor shall either officers appointed immediately succeed either of the others.

Mr Stover moves to strike out "ex County Commissioner".

Mr Bacon accepts the amendment.

A division being called it passed. Ayes. 17, nays 10, so the additional section was adopted.

Mr Seymour gave notice that he would, order a call of the roll on the Convention upon the adaption of the amendment of Mr Marcus O. de Baal, if such passed.

Mr Fitch offered the following;

Res. — The Compensation of County officers shall be a salary fixed by law and shall be reasonable and in lieu of any other fees or charges against the County or State.

Such salary shall not be changed during the term of any such officers. All fees shall be paid into the County Treasury.

On motion of Mr Stover the Article just read was made the special order for 4 P. M. today.

Mr Stover presented the following;

Sec. — The Legislature shall enact laws to prevent the destruction and to keep in preservation the forests upon the lands of the State, and upon the lands of the public domain, the control of which might be conferred by Congress upon the State; and may exempt from taxation for a limited time the improvements upon private lands, caused by the planting of orchards, hedges and forests.

On motion of Mr Seymour the section was adopted.

Mr Findley arose to a question of priv-

inage, stating that having been charged with uttering a falsehood upon the floors of the Convention, in regard to the passage of the bill in the last legislature fixing the boundary line between Santa Fe, San Miguel, Bernalillo, Rio Arriba and Mora Counties in the last days of the session of the legislature; and read from the Official record of the proceedings on file in the Office of the Secretary of the Territory, to show that the bill referred to was a motion of Mr Catron, taken from the president's table, read the first, second and third times, by title and passed.

On motion of Mr Romero, the Convention adjourned till 2 P. M. today.

—Afternoon Session—

At 4 P. M. pursuant to adjournment president Chaves called the Convention to order.

There being a quorum present, and no objection the calling of the roll was dispensed with.

The Articles on Corporations, Counties, and Precincts being the special order for four o'clock P. M., was taken up and read.

By unanimous consent Mr White reported from the Committee the Articles on Mining and Water-rights, which upon motion of Mr White was received, and the articles ordered to take its regular course.

Mr Romero moved to strike out the section offered by Mr. Marcos C. de Baca, relating to Sheriffs, Assessors etc and demanded the Ayes and Nays, and the demand being seconded resulted, Ayes 15, Nays 22 viz;

Ayes — Messrs C. Baca, Bail, Caldwell, Ill.

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Clancy, Eddy, Hamm, Hobart, Henry, Jaramillo, Perez, Rodey, Rynerson, D. Sandoval, Stover, Terrill, and Mr. President.

Nays — Messrs. Abeytia, Manuel C de Baca, Bernardez, Burns, Catron, Jos. C. Chavez, F. W. Clancy, Haberland, Hagerdine, Labadie, Lujan, Otero, Pritchard, Ramirez, L. Sanchez, Shupp, Springer, Trimble, Trujillo, Vandenveer, White and Wiedenstein.

Absent with leave, Messrs. Armijo, Marcos C de Baca, Bristol, Dow, Gallegos, Fountain, Fox, Hart, Kelley, Lee, Lohman, Martinez, Miranda, Perea, Pino, Pritchard, Raymond, A. Sandoval, Sena, Ulibarri and Whitmore.

The motion to strike out was not adopted.

Mr White offers the following amendment; No Collector, Treasurer, or disbursing officer of any County shall immediately succeed himself or any of the above mentioned in office.

Mr Burns offered the following amendment to Mr White's amendment.

Shall hold office for more than two consecutive terms or immediately succeed each other in office.

Mr. White accepts Mr Burns amendment.

A division being called, resulted ayes 11 Nays 11. Mr White's amendment was lost.

Upon motion of Mr Rynerson to strike out amendment, resulted ayes 16, Nays 22. Motion lost.

Mr White's amendment was adopted.

Mr. Pritchard who voted with the majority moved to reconsider the vote by which this amendment was adopted in order to offer another amendment.

Mr. Shupp moved to lay the motion to re-

consider on the table.

A division being called on the question resulted as Ayes 12, Nays 17.

The motion to lay on the table was lost.

The motion to reconsider, upon a division being demanded resulted as Ayes, 18, Nays 13.

The motion was adopted.

Mr Ritch offered the following;

Strike out "assessor" and insert "County Treasurer".

Mr Marcus G. Haca moved the following amendment to the amendment;

Insert "County Commissioners".

Mr Lyon offered the following amendment;

And "County Clerk".

Mr Phipps moved to strike out the section.

A division, resulted ayes 17, nays 16.

The entire section was stricken out.

Mr Ritch offered the following additional section;

All collectors of taxes and County Treasurers shall not be eligible as their respective successors in office until they shall have fully accounted for and paid over all public funds in their hands to the proper officers.

Mr Hobart arose to a point of order, that a similar amendment had been voted down.

The president sustained the point of order.

On motion of Mr. Rynerson, the article was adopted as amended.

The Articles on mining and water rights was read the first time at length, and read the second time by titles.

Mr Penn moved to lay on the table the

Articles indefinitely.

The motion was not adopted.

On motion of Mr Clancy the Convention was resolved into the Committee of the whole, with the president in the chair to consider section 4 section the Articles on mines and water-rights.

The motion was adopted.

The Convention in Committee of the whole.

The president again called the Convention to order, and as Chairman reported that the Committee of the whole had under consideration the Articles on mines and water-rights, had concluded its labors and recommended that the articles do pass.

On motion of Mr White the rules were suspended and the articles read the third time by title.

Mr Emerson moved that the articles do now pass.

Mr Pena demanded the ayes and nays, which being seconded required ayes 32 nays 5 viz:

Ayes, Messrs. P. Baca, Bail, Benavidez, Burns, Caldwell, Catron, J.M.C. Chaves, J.H. Clancy, Eddy, Haberland, Heman, Hobart, Henry, Jaramillo, Lobato, Martinez, Miranda, Otero, Perez, Pitch, Rodey, Romero, Rynerson, S. Sanchez, A. Sandoval, Shupp, Spruiger, Stover Terrell, Trimble, White, Wiedenstein, and Mr President.

Nays, Messrs Abeytia, Manuel C. de Baca, M. M. Clancy, Pena, Sanjenio.

Absent with leave, Arnijo, Manuel C de Baca, Bristol, Dow, Gallegos, Hart, Henry, Kelly, Lee, Lobato, Lucero, Pino, Pritchard, Reynolds, A. Sandoval,

Perea, Ulibarri, Vanderveer and Dr Whitmore.
Mr Perea Explained his vote.
The Article was passed.
Mr Rich moved to reconsider the vote by which the article passed and moved to lay that motion on the table.
The motion was adopted.
Mr Catron presented an Article from the Committee on preamble and bill of rights, and it was read the first time by title.
On motion of Mr. Catron the Article was read the second time in full.
The Article was made the special order for tomorrow at the opening of the Convention.
On motion of Mr J.G. Chaves the Convention adjourned to 9 a.m. tomorrow.

J. Francisco Chaves
President.

S. M. Ford
Secretary.

Friday, Sept 20th 1859.

At 9 a.m. pursuant to adjournment President Chaves called the Convention to order.
Prayer by the Chaplain.
There being a quorum present, and no objection the calling of the roll was dispensed with.
The journal of yesterday was being read when Mr Herman moved that the further reading of the journal be dispensed with.
The motion was adopted.
On motion of Mr Pinjoan the journal of yesterday was approved.

September 20th A. D., 1889, Sixteenth Day.

The Education Articles reported yesterday from the Committee on bill of rights etc; being the special order for 9. a.m. today was taken up.

Mr Catron moved that the Convention be resolved into the Committee of the whole, with the president in the Chair to consider section by section the additional Articles on bill of rights etc.

President Chavez in the Chair.

President Chavez again called the Convention to order, and as Chairman reported. that the Committee of the whole had under consideration the additional Articles on bill of rights etc. and reported the Articles to the Convention with certain amendments, with the recommendation that ish do pass as amended.

Upon motion of Mr Marcus C. de Baca the report of the Committee was accepted.

Mr. Catron moved that the additional Articles on bill of rights etc, be now read the third time.

Mr Abeytia presented an article to the article under consideration, on bill of rights, etc,

Mr. Caldwell moved to lay on the table the article just offered by Mr Abeytia,

Mr Leandro Sanchez seconded the motion.

Mr Abeytia demanded the Ayes and nays, which being had resulted Ayes 32 nays 7.

Ayes, Messrs Marcus C. de Baca, C. de Baca, Bail, Burns, Caldwell, Catron, Jm. C. Chavez, J. W. Clancy, Jg. Clancy, Dow, Eder, Haberland, Hazeldine, Herman, Hubert, Hunker, Jaramillo, Otero, Perea, Ritch, Rynerson, J. Sanchez, Sharp, Spruance, Stover, Tenney, Tomlinson, Vandenveer, White, Whitemore, Widenmann and Mr. President.

Nays, Messrs Abeytia; Manuel C. de Baca, Martinez, Mirabal, Perez, Romero, M. Sandoval and Trujillo.

September 20th - A. D., 1859, Sixteenth Day.

Absent with leave. Messrs. Arnijo, Fernandez, Bristol, Gaines, Fountain, Fox, Hart, Kelsey, Lee, Labato, Lehman, Luna, Otero, Pritchard, Reynolds, Rodey, O. Sanchez, A. Sandoval, Pena, Ulibarri,

The Article was laid on the table indefinitely,

The question recurring upon the motion of, Mr Otero, the motion was adopted and the Article read the third time.

On motion of Mr Reynolds the Article, passed.

Mr Hobart offered the following resolution:

Resolved; That the Committee on ways and means be directed to procure the printing of the Constitution in both English and Spanish, and its distribution in every part of the Territory.

Which was read.

Mr Pena moved that the printed copies be divided Equally among the members for them to distribute in their Counties.

Mr Hobart accepted the amendment.

Mr Rieb moved to have 3000 copies published in English and Spanish each.

Mr Hobart accepted the amendment.

Mr Marcos de Baca, moved to amend by having not less than 5000 copies printed in English and Spanish Each.

On motion of Mr Perea further action on the resolution was postponed till the afternoon session.

Mr Springer presented a report from the Committee on Legislative department which, he asked to have placed on the Calendar to come up in its regular order.

Mr Perea moved that the Article, be received and read the first time at night.

The motion was adopted and the article read the first time at length.

Upon motion of Mr Springer the article was read the 2nd time by title.

Upon motion of Mr Emerson the article was read a third time by title.

Upon motion of Mr Marcos C. de Baca the Article as read, passed.

Upon motion of Mr Emerson the further services of the page were dispensed with after tomorrow morning as he wished to start going to school.

Mr. Rumble by unanimous consent presented an article for the Constitution relating to the Election of District Attorneys, which was read the first time.

Upon motion of Mr Pena the Article was referred to the Committee on bill of rights, with instructions to report tomorrow at 9. a.m.

Upon motion of Mr Hazeldine the secretary was instructed to turn over all articles to the Committee on revision and adjustment without waiting to Engross them.

Mr Rumble presented the following resolution;

Resolved: That the President of this Convention be requested to appoint a Committee of not less than 25 persons, to be composed of representating citizens of New Mexico, who shall be Earnestly requested to visit Washington during the next session of Congress to present to Congress the unanimous reasons entitling New Mexico to admission as a State with equal rights into the Union, together with the inalienable right of her citizens, who meet-

nigly paid taxes under oppressive and discouraging circumstances for over forty years, to representation in the Congress of the United States.

Which was read.

Mr Rynerson moved to amend the resolution by adding; That the delegate from New Mexico be requested to use all of his influence in aiding the admission of New Mexico into the Union.

Upon motion of Mr. Perea, the Convention adjourned to 10 o'clock a.m. tomorrow.

J. Francisco Chavez,
Pres't.

Jno. Bond,
Secretary.

Saturday, April 21st, 1889.

At 10 a.m. pursuant to adjournment, President Chavez called the Convention to order.

Prayer by the Chaplain.

There being a quorum present, and there being no objection, the calling of the roll was dispensed with.

The journal of yesterday was being read, when upon motion of Mr. Catron the further reading of the journal was dispensed with.

On motion of Mr. Catron the journal of yesterday was approved.

Mr Catron reported from the Committee, on bill of rights, etc. an article on District attorneys, and also an article on, pobe deeds, and ordinances).

On motion of Mr. Catron the report was received.

On motion of Mr. Catron, the article on District

September 21st A. D., 1859, Seventieth Day.

attorneys was read in full the first time.

On motion of Mr Catron the Articles on which attorneys was read the 2nd time by title.

On motion of Mr Heman the Articles was read the third time in full.

On motion of Mr Catron the Articles was adopted.

On motion of Mr Catron the Articles on schedules and ordinance was read the first time by title.

On motion of Mr Catron the Articles on Schedules and Ordinance was read the 2nd time in full.

By unanimous consent the Committee struck out in section 15, the words "which shall be the same".

Mr Trimble asked and was granted, by unanimous consent, leave to call up the resolution authorizing the president of this Convention to appoint a committee to go to Congress, and struck out "not more than 100.", and the resolution thus passed.

Mr Veatch offered the following amendment; Sec Articles on Schedules etc, in relation to filing the Constitution;

Strike out "secured by him", in next to the last line, and insert after recorded "by him in the books of miscellaneous records."

Motion was adopted. Mr Clancy offered the following Amendment;

To file the blanks in Sec. 11,-

Strike out the words "at an Election to be held on the" lines 3 and 4 of Sec. 11, and insert the following;

At the next regular general Election, to be held on the first Tuesday after the first Monday in November, A. D. 1860, unless the Congress of the United States

shall proceed pass an Enabling Act for the Territory of New Mexico, which shall have the same for an Election in said Territory, to be held on the people at an Election to be held within ninety days after the passage of such Act, to be called by a Proclamation of the Governor of the Territory of New Mexico, such Proclamation to be issued not less than forty nor more than sixty days before the day of the Election.

And strick out "at which" in lines 9, and insert in stead "to vote".

Mr Otero offered the following;

Resolved; That when this Convention adjourned, it be subject to the call of the President, upon written request of twenty members, and that when it Convenes at such call, it shall first take up and act upon this Constitution for ratification or rejection by the people.

Mr Otero presented the following;

Resolved; That when this Convention adjourns, it adjourn sine die, and that the Convention for the ratification, to the people of New Mexico, be held on the first Tuesday after the first Monday in November, 1859. when proclamation, under the Seal of the United States, by the Governor of the Territory of New Mexico, upon application of ten members of said Convention adjourned to meet again.

Afternoon Session.

The Convention convened pursuant to adjournment.

September 21st A. D. 1859. Forenoon Session

(President Chavez in the Chair).

On motion of Mr Clancy the execution pending on Article on Schedule was postponed, so permit there to make a report from the Committee on Revision and Adjustment, was thereupon suspended.

Mr Clancy presented Article 17.

Mr Seymour moved that the 2d section be stricken out.

Mr Whitmore moved to substitute the second section for the first section.

The motion of Mr Whitmore was not adopted.

On motion of Mr Seymour as offered by him, a division being demanded, resulted Ayes 4 Nays 7.

The motion of Mr Seymour was adopted.

On motion of Mr Seymour the rules were suspended and the Article read the 3d time by title.

On motion of Mr Clancy the Article was adopted.

Mr J. M. Clancy reported from the Committee on Revision and Adjustment an additional Article on the Executive department, relating to the Execution of the State to grant Commissions to certain officers. Which was read the 1st time.

On motion of Mr Otero the Article was read the second time by title.

On motion of Mr. J. M. Clancy the Article was read the third time by title.

On motion of Mr. Otero the Article was adopted.

Mr. Welch presented the following Resolution, Viz:

Resolved, That the Committee of all Counties officers except Sheriffs, Collectors of taxes and Coroners for the term of two years, shall be by the people at the general election and

[illegible]

parte d Aguadilla, Mayo 9.

The Articles were therefore adopted.

Mr Olavey made a complete report on all the Articles before the Committee on revision and adjustment.

On motion of Mr. Perea, the report of the Committee on Revision and adjustment was adopted.

Mr Hernan presented the following as an addition to the Articles on Appropriations:

That the Counties of Ponce, Yabucoa, and Fajardo shall make another Senatorial district.

On motion of Mr Otero, the same was adopted.

Mr Sprenger moved that the Constitution as reported by the Committee on Revision, be read the 3rd time.

Mr Perea moved to set aside the motion of Mr Sprenger, and to consider the resolution of Mr Trinchet presented to the afternoon session.

The motion of Mr Perea was not adopted.

The motion of Mr Sprenger was adopted.

All the Articles of the Constitution were read at length.

During part of the time of the reading of the Constitution Mr J.M.C. Olavey occupied the Chair.

Before the Conclusion of the reading of the Constitution President Olavey resumed the Chair.

Mr Otero moved that the Constitution as read the third time be now adopted.

The motion prevailed and the Constitution was adopted unanimously.

Mr Perea asked and was granted leave to be absent from the session tonight.

September 21st A. D., 1889. Seventeenth Day.

Mr Raymond offered the following resolution;

Resolved; that this Convention do memorialize Congress, requesting an appropriation of Public Lands from the Domain of this Territory for the benefit of our public School fund.

which was adopted.

Mr Catron offered the following resolution;

Resolved; that the president of this Convention be directed to appoint a Committee Composed of one member from each County to prepare an address to the people, and also one to the Congress of the United States, urging upon them the necessity for the admission of New Mexico as a State: that the president of this Convention be the member from Valencia on said Committee, and shall be the Chairman of said Committee.

Which was adopted.

President Chavez pursuant to the above resolution appointed the Committee as follows;

Valencia	J. Franco. Chavez,
Santa Fe	A. B. Catron,
Bernalillo	W. C. Woodward.
Colfax	E. W. Fall
Doña Ana	A. J. Fountain
Grant	Jas. W. Bail.
Lincoln	P. P. Ferrell,
Mora	Carl Wildenstein
Rio Arriba	Jno. C. Chavez
San Juan	S. E. Cobaugh
San Miguel	Frank Springer
Sierra	R. M. White
Socorro	W. G. Reich

On motion of Hon Manuel C. de Baca the Convention took a recess till 11. P. M. tonight.

September 21st A. D., 1864, Seventeenth Day.

Night Session

At 11 P. M. pursuant to adjournment president Chavez called the Convention to order.

A quorum present. Roll call dispensed with.

Mr. Catron moved that as to the articles on Schedules and ordinances, there was no question of adoption except on sections 11 and 12, that the remaining sections of the article be now adopted, leaving sections 11 and 12 of the Article till the Committee on revision and adjustment present their final report on all the articles of the Constitution.

The motion was adopted.

Mr. Trimble presented the following resolution;

Resolved; That the thanks of this Convention are hereby tendered the Hon. J. Francisco Chavez for the able, faithful and impartial manner in which he has discharged the arduous duties of presiding officer of this Convention.

Mr. Trimble put the question to the Convention and it was adopted unanimously.

On motion of Mr. Jaramillo the Convention took a recess until the Committee on revision and adjustment shall arrive and present their report.

The president again called the Convention to order as the Committee on revision appeared in the hall.

Mr. Spruiger announced for the Committee on revision and adjustment, that the Committee had prepared three copies of the Constitution, which they now presented to the Convention. Mr. Spruiger presented one copy of the Constitution; Mr White and Mr Kennell each presented a copy

making the three copies of the Constitution which were placed in the hands of the president.

The president announced if there was no objection the three copies of the Constitution as presented by the Committee to the Convention would be accepted as official copies. So ordered.

Mr Hazeldine presented the following substitute to sections 11 and 12, to the ordinance on schedule and ordinance;

Sec. 11. —— This Constitution shall be submitted for adoption or rejection to a vote of the Electors qualified by law to vote at all Elections of this Territory of New Mexico, at a special Election to be held at the same time as the general Election, on the first Tuesday after the first Monday in November A. D. 1890, unless the Congress of the United States, shall pass an Enabling Act for the Territory of New Mexico, in which case unless the time for an Election is fixed in said act, the Constitution shall be submitted to the people at an Election to be held within ninety days after the passage of such act, to be called by a proclamation of the Governor of the Territory of New Mexico, such proclamation to be issued not less than fifty (50) days before the day of the Election.

Said Election shall be conducted in all respects in the manner provided by the laws of the Territory for general Elections, and the returns thereof shall be made and canvassed in the same manner, and by the same authority as provided in case of general election, and abstracts of such returns duly certified shall be transmitted

to the board of Canvassers, which said board shall consist of the Governor and Secretary of the Territory, and the President of this Convention. Said Board shall canvass the votes as returned and certify the same, and declare the result of said elections in the same manner as is required by law for the Election of a Delegate to Congress.

At the said Election all ballots which may be cast in favor of the Constitution shall have written or printed on them the words "For the Constitution", and all ballots which may be cast against the Constitution shall have written or printed upon them the words "Against the Constitution", and such ballots shall be counted for or against the Constitution accordingly. Said Board of Canvassers shall also make and file with the Secretary of the Territory a certificate setting forth the number of votes cast for the Constitution, and the number cast against it. And shall also file a certificate certifying whether the said Constitution has been ratified by a majority of all the votes cast for or against it, or not, a copy of which certificate shall be forwarded by the Secretary of the Territory, duly certified by him, one to the Speaker of the House of Representatives and the other to the President of the Senate of the United States, and said Secretary shall also forward along with each of said certificates said attached thereto, a duly certified copy of the Constitution.

Sec. 12. Immediately upon the admission of the Territory as a State, the Governor of the Territory, or in case of

In case of failure to call the Secretary of the Territory, or in case of his absence or inability to act, the Governor shall issue a proclamation, which shall be published, and a copy thereof sent to the Chairman of the Board of Commissioners of each County, calling on the people of all State, District, County, Precinct, and other officers created or made Elective by the Constitution and fixing a day for such Election, that shall not be less than forty days after the date of such proclamation, nor more than ninety days after the admission of the Territory as a State.

Sec. 13. The Board of Commissioners of the several Counties shall thereupon order such Election for said days, and shall cause notice thereof to be given in manner and for the length of time provided by laws of the Territory, in case of general Election for Delegate to Congress, and County and other officers. Every qualified Elector of the Territory, at the date of said Election, shall be entitled to vote there at such Election, and the Canvass shall be conducted in all respects in the same manner as provided by the laws of the Territory for general Elections, and the returns thereof shall be made and by the same authority as provided in case of such general Elections, but returns for the State, and District officers and Members of the Legislature shall be made to the Commanding General thereof, provided for Sec. 14. ——— Thirty days after such Election for State, District, County, Precinct and other officers (in the last session)

if said thirtieth day shall fall on Sunday) said Board of Canvassers shall assemble at the seat of Government as now fixed by law, and proceed to canvass the votes for all State, and district officers, and members of the Legislature, in the manner provided by the laws of the Territory for canvassing the vote for Delegate to Congress, and they shall issue Certificates of Election to the persons found to be Elected to said paid offices severally.

And shall make and file with the Secretary of the Territory, an abstract certified by them, of the number of votes cast for Each person, for Each of said paid offices, and of the total number of votes cast in Each County.

SEC. 17. The Canvassing Boards of the various Counties, shall issue certificates of Election to the several persons found by them to have been elected to the several County and precinct offices.

Mr Keenan presented the following:

To strike the second section and insert in lieu thereof the words "on the" and strike out the words "at an Election to be held on the second Monday after the passage of this Enabling Act, by the Congress of the United States, for the admission of the State into the Union, unless the said Act of Congress shall fix the day of said election, then upon that day." And insert in lieu thereof the words "provided, nevertheless, that upon the publication of the Proclamation, upon a division requested, the publication of the Proclamation was

Therefore adopted.

On motion of Mr Dr. Owens, the entire resolution was adopted.

Mr Stowe offered the following;

Resolved that the thanks of this Convention are hereby Extended to the Governor, the Secretary and other officers of the Territory, for the courtesies extended and assistance rendered during the session of this Convention.

On motion of Mr. Dana the resolution was unanimously adopted.

Mr Springer, of the Committee on Ways and Means presented a report pharming the Entire expenses of the Convention including printing of rolls, printing for the Convention, pay of officers and Employees, and miscellaneous expenses to the sum a total of $363.57

On motion the report was received and resolution adopted.

Mr Fitch offered the following;

Resolved; that the thanks of this Convention is due to Ira M. Bond, Secretary, Mariano T. Pena Assistant Secretary, G. G. Gans, Sergeant-at-Arms, Guerin Manning, Messenger, Martin Vigil, Janitor, Charles F. Harper Journal Clerk, and Fred'k. Fiske Stenographer for the efficient and faithful discharge of their respective duties during the pitching of this Convention, and tendered to the Interpreter, Mr D. M. Ford.

Which upon motion was unanimously adopted.

Mr Springer offered the following;

Resolved; That the President of this Convention be authorized to pigeon the three copies of the Constitution as adopted, submitted by the Committee on Government

with the addition of the schedule, and deposit two of such triplicate copies to stand on the originals in the office of the Secretary of the Territory, where they may be perused by members of the Convention, who desire to do so. The president shall preserve the third copy, in some safe place, subject to his orders for reference in any case that may arise, and shall place a copy thereof in the hands of the public printer at the earliest possible day, for the purpose of having the same printed.

Which on motion was adopted.

Mr Prentiss presented the following;

Resolved; That besides the compensation authorized to be made pursuant to the report of the Committee of Ways and Means, to the Employees of this Convention for nineteen days. The President be authorized to certify one days additional pay to the Secretary, Assistant Secretary, Stenographer, Sergeant-at-arms and Janitor on account of the Extra labor devolving upon them in closing up the works of the last days of this session, which has continued far beyond the usual hours.

Which upon motion of Mr Caldwell was unanimously adopted.

Mr Carey offered the following Resolution;

Resolved; That the Public Printer is hereby instructed to print five hundred copies of the Journal of the proceedings of this Convention in pamphlet form, to be delivered to the Secretary of the Territory for distribution as follows; To the members of the Convention Each three copies, to the Secretary of

September 21st A. D., 1859, Continued from Day.

the Secretary was directed to procure for distribution to Public Libraries, and the balance to the Territorial Library.

Mr Marcus C. de Baca moved to lay the motion on the table indefinitely.

The motion was lost.

Thereupon a division was demanded upon the motion of Mr. Gurney, which resulted ayes 12, nays 12,

The resolution of Mr. Gurney was therefore lost.

Mr White offered the following;

Resolved that the Republicans and members of the Constitutional Convention extend sincere thanks to our fellow workers, the Democrats, have taken part in this Convention, for their hearty co-operation in our labors and the pleasure of their Company.

Upon motion of Mr White the resolution was unanimously adopted.

On motion of Mr. Garcia a short recess was taken to permit the Democratic members of the Convention, to hold a caucus, over which Judge J. G. Knowles of Bernalillo County presided and Mr. David E. Sabatar of San Juan County acted as Secretary.

President Chavez again called the Convention to order.

Mr Otero demanded action upon his resolution providing that the Convention shall again be convened upon the request of twenty members of the Convention.

Mr Spencer offered the following as a substitute;

Resolved, That when this Convention adjourn it shall be to meet at such time as may be agreed upon by a

President or by any two members thereof, by written notice mailed to each member thereof at least twenty days previous to such meeting.

The substitute of Mr Springer was adopted.

Mr Springer presented the following;

Resolved; That the Committee on Revision, Adjustment and Enrollment be charged with the duty of superintending the printing and distribution of the Constitution...

which was adopted.

Mr Ritch moved that the names of the members of the Convention be printed as signed to the Constitution;

The motion was adopted.

Upon motion of Mr Hinkle the name of Hon. A. Jaramillo was added in the list of officers in the resolution of thanks to the officers of the Convention.

At 3.15 a.m. in open Convention the new and complete Constitution for the State of New Mexico was signed, first by the President J. Francisco Chavez, second, by Secretary L. M. Ilfeld, and then by all the members of the Constitutional Convention that were present.

Mr Hinkle moved that pursuant to the resolution of Mr Springer, this day adopted, that the Convention do now (4 o'clock) a.m) adjourn.

(President Chavez thereupon arose and made the following remarks;

(Whereupon the presiding the motion to adjourn this Chair desires to thank you all the members of the Convention

Septemberr 9th 1850. Monday Morning 9 o'clock

[illegible]

[illegible] which, being up perhaps upwards of a thousand miles, will be distributed all over the country, with the greatest rapidity, with the exception of a few days, at the meeting of this Constitutional Convention, marks an Epoch in the future history of New Mexico, which in my humble opinion, will redound with honor, the prosperity and the welfare of the people of New Mexico,

The success of Laws, rule and just government throughout the Territory, will make the hearts in their News papers that a quorum of delegates could not be assembled, because no pay was provided for the delegates; that a few of them would meet at this Capital and spending Thousands with out a quorum, then they would adjourn sine die and start back to their homes, the laughing stock of the people.

Every artifice of detraction, Every argument including that of fairness, was used upon the delegates, to cause them to deeply reflect and ponder, as to whether they give their assembling would only be detrimental to our misguided fellow citizens, the Gotts, and those [illegible]

September 21st A. D., 1889, Seventeenth Day.

(Session, as usual) Flattering. Upon these best and object lies view, the present and future welfare of upon native and adopted New Mexico and upon same patriotically to the front, without pay or Emolument or hope of any Except the patriotic one that you had done well: and deserved well of your Country.

All other Considerations were set aside by upon as Naught. And the gratifying spectacle was seen, of sixty, one of the delegates assisting in a Convention to draft a Constitution for the future State of New Mexico, out of a total Number of seventy three; and the still more gratifying fact that Every one of you without exception in this individual Capacity, and in the aggregate, labored night and day as one man, from the first day until this the last day of the Convention, for the success of a good, liberal, progressive Constitution, for the future state of New Mexico.

The result of upon labors is before upon, it must be as gratifying to upon as it is to me; like all human labors, I do not claim for it perfection, and disclaiming to make invidious Comparisons, I venture the assertion, that it is as good a Constitution and will bear favorable Comparison with those of our sister, Territories, who have been engaged in the same work also having upon me the satisfaction of knowing that upon labors have been attended with great Economy, and with an Expense to the Territory of less than $7,000 including the cost of the Election of Delegates.

Upon upon I have no doubt, that upon

September 2nd A. D., 1859, Seventeenth Day.

meet the respect due them with open arms, and with expressions of Congratulations and approval, for upon successful and patriotic labors, and those of upon who are blessed with affection- ate cares and loves; cheered, cause be re- ceived by the mutual Embrace, accompanied by the kisses of the toddling children wel- coming back home their loving and long ab- sent papa.

Gentlemen of the Convention, Good bye and God speed upon.

President Chavez announced that the motion of Mr Heman was adopted, and in pursuance thereof, had declared the Convention adjourned.

J. M. Pond

Secretary of the Convention Pres. of the Convention.

Journal of the Constitutional Convention.

Adjourned Session.

Territory of New Mexico.

Hall of the Constitutional Convention.

First Day.

Santa Fé N. M. August 18th. 1890.

Pursuant to the call of the President of the Constitutional Convention, J. Francisco Chaves, the Constitutional Convention of the Territory of New Mexico, on the day fixed in said call of the President of the Convention, assembled in the Hall of the House of Representatives at 11.30 a.m, August 18th. 1890. at Santa Fé, New Mexico.

President J. Francisco Chaves, called the convention to order.

The President read to the convention a telegram from Secretary D. M. Bond, at Kansas City Mo. stating that he had been detained by sickness, and would be present on Tuesday afternoon.

The president with the consent of the convention appointed A. L. de Baca, to act as secretary during the absence of secretary Bond, and Jose D. Sena Jr. to act as assistant secretary.

Mr. Rodey called for the reading of the call upon which the convention had re-convened.

Whereupon the president read the following resolution.

Resolved, that when this convention adjourn, it be to meet at such time as another meeting may be called by the president or by request of any ten members

thereof by written notice mailed to such members thereof, for at least ten days previous to such meeting.

The list of the members of the different standing committees was read and the committee on congressional requirements a tapation, was amended by inserting the name of W. C. Kelley instead of Pedro Pino.

Mr. Rynerson offered the following amendment Amend section three of article eight as to the fifteenth senatorial district, so as to read as follows "The counties of Lincoln, Chaves and Eddy shall constitute the fifteenth district, which shall be entitled to one senator".

Amend section four of article eight by striking out the following words, "and the county of Lincoln two," and inserting in lieu thereof the following:

"The county of Lincoln one, the county of Chaves one, and the county of Eddy one."

Also to amend section two of article four by striking out "forty-six" and inserting in lieu thereof "forty-seven."

Mr. Rynerson temporarily suspended his amendments.

Mr. Hobart offered the following resolution: Resolved, that a committee of three be appointed by the chair to procure accurate information as to the present population of the territory by counties, for the information of this convention.

On motion of Mr. Stover the resolution was adopted, and Messrs. Hobart, Rynerson and Trimble were appointed as such committee.

On motion of Mr. Stover the convention took a recess until 2.30 p. m.

Septemtra August 18 A. D., 1854, 1890, First Day.

Afternoon Session.

The convantion was called to order by prasidant Chaves.

Mr. Roday called for the raport of the committee appointed in the moring session.

Mr. Hobart reported that the committee had bean as yet unable to get access to the census office, and were not yet ready to raport.

Mr. Springer moved to amand article nine on Education, and presanted the following amandmant.

Amand saction five of article nine by striking out the second clause thereof, and inserting in lieu thereof the following:

Second. Such other taxes whether general or local, as may be necessary, to insure the school facilities guaranteed by section one of this article.

On motion of Mr. Springer the amandmant introduced by him was adopted.

On motion of Mr. Ryerson the first amandmant offered by him in the morning session was adopted.

On motion of Mr. Ryerson the amandmant offered by him as his second amendmant in the morning session, was adopted.

Mr. Otero introduced the following amandmant:

Amand section II of the schedule and ordinance by striking out in line three the following:

"At the Dona Ana on the general Election."

And in line fourteen strike out "first Monday" and insert "Fourth Monday" and strike out "November" and insert "September", which were left for consideration on tomorrow.

Mr. R. Mansfield White introduced the following resolution.

Resolved: That whereas we have learned with profound regret that the Hon. Warren Bristol of Deming, Grant County New Mexico, a member of this convention chairman of the committee on judicial department and heretofore a judge of the third judicial district of this territory, has departed this life:

Be it Resolved: that in the death of Hon. Warren Bristol, this convention has lost one of its ablest members, the bar of New Mexico one of its brightest ornaments. That in all the walks of life he was an honest, upright citizen, as well as a first, impartial judge and a true friend to New Mexico.

That a copy of these resolutions be spread upon the records of the convention, and a copy forwarded to the family of Hon. Warren Bristol.

Mr. Reday moved that the resolutions be adopted by a rising vote.

It was thus adopted unanimously.

Mr. Raynolds introduced a resolution which was referred to the following committee for proper wording. Messrs. Raynolds, Lane and Stover.

Mr. Dow offered an amendment, which on motion of Mr. Catron, was laid upon the table

September August 18th A. D., 1854, 1890, First Day.

until tomorrow,

On motion of Mr. Ryerson the convention adjourned until tomorrow at ten a. m.

D. M. Bond,
Secretary of convention.

J. Francq Chavas,
Pres't of convention

Deposited August 19 A. D., 1854, 1890, Second Day.

Santa Fé, N. M. August 19th 18

The convention was called to order pursuant to adjournment.

On motion of Mr. Blancy the reading of the proceedings of the previous day were dispensed with, and the same were adopted.

The special committee to which a resolution introduced by Mr. Reynolds was referred presented the following report and resolution.

Resolved: That it is the sense of this convention that the delays of Congress in settling the land titles of New Mexico in compliance with the treaty of Guadalupe Hidalgo have caused great loss and hardship to our people and retarded the material prosperity of our territory.

We therefore most earnestly recommend the passage of the land court bill now pending in Congress, or some other adequate measure at the earliest possible moment.

On motion of Mr. Leatron the report of the committee, and also the resolution was adopted.

And Mr. Leatron further moved that copies thereof be sent to the committees of private land claims in both houses of Congress, and to the president of the senate and speaker of the house.

Which motion was adopted.

Mr. Hagladina offered an amendment as a substitute to Mr. amendment

presented by Mr. Otero yesterday as follows:

Amend section eleven by striking out the first nine and one half lines of the printed copy of the constitution from the words "this constitution" to the words "of the election" and insert as follows:

Section eleven. This constitution shall be submitted for its adoption or rejection to a vote of the electors qualified by law to vote at elections of the territory of New Mexico, at a special election to be held on the seventh day of October 1890.

Provided, That a registration of voters shall not be required, but no one shall vote at said election who is not a qualified elector under the laws of the territory to be determined by the judges of election, subject to the penalties prescribed by law.

The governor of the territory of New Mexico shall issue his proclamation forthwith, announcing the fact that this constitution is to be submitted to the qualified electors of the territory for its adoption or rejection at the said special election, to be held on the said seventh day of October, and commanding and requiring all officers having any official duty to perform in connection with elections to perform the same in connection with said special election; Also calling attention to the principal provisions of law applicable to such election.

On motion of Mr. Sanchez the above substitute to Mr. Otero's amendment was adopted.

Mr. Stover presented the following amendment

Amend section sixteen of article II by striking out all of said section, and inserting in lieu thereof the following
"Every citizen may freely speak, write, and publish his sentiments on all subjects, being responsible for the abuse of that right; and no law shall be passed to restrain or abridge the liberty of speech or the press. In all criminal prosecutions for libel the truth may be given in evidence to the jury; and if it shall appear to the jury, that the matter charged as libelous is true, and was published with good motives and for justifiable ends, the party shall be acquitted; and the jury under the directions of the court shall have the right to determine the law and the facts.

The question was being debated when Mr. Delaney appealed from the decision of the chair on a point of order, and the convention sustained the decision of the chair.

On motion of Mr. Stover the amendment offered by him was adopted.

Mr. Latron introduced the following resolution:

Resolved: That the constitution as amended be re-enrolled and signed by the president and secretary of this convention in quadruplicate, and one copy thereof filed in the office of the secretary of the territory; one copy thereof to be sent to the president of the United States with a request for him to lay it before Congress; and one copy thereof to each, the the president of the senate of the United

States and the speaker of the house of representatives of the Congress of the United States to be by them placed before the respective bodies over which they presida.

On motion of Mr. Catron his resolution was adopted,

Mr. Springer offered the following resolution:

Resolved: That there be printed in pamphlet form by the public printer, thirty thousand copies of the constitution as amended, and of the address of the committee of fifteen explanatory of the constitution, ten thousand in English and twenty thousand in Spanish, one half of such copies to be furnished the members of the convention for distribution in their respective counties, and the remainder to be distributed under the direction of the President.

Mr. Springer's resolution was adopted.

Mr. Hagladine introduced the following resolution.

Resolved: That the committee of fifteen heretofore appointed by the chair to present an address to congress and the people be continued; and they be authorized and empowered to do all that may be necessary to call the attention of congress, and the people to the constitution, and to do all said acts and things as may be proper and right to secure the adoption of the constitution by the people.

On motion of Mr. Hagladine his resolution was adopted.

Mr. Springer moved that the copy of

Septimia August 19 A. D., 1890, Second Day.

the constitution that was to be filed with the secretary of the territory, be also signed by the members of the convention. His motion was adopted.

It was moved and seconded that a vote of thanks be given to the president for the fair and impartial manner in which he has presided over the convention.

Which motion was adopted.

Mr. Dana moved that the proceedings of today be considered as read and approved.

Which motion was adopted.

On motion of Mr. Van De Vere the convention adjourned sine die at 12.31 p.m.

Attest. D. M. Bond.

Secretary of convention. President of convention.